Nobody owns us; the story of Joe Gilbert, midwestern rebel

NOBODY OWNS US

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Nobody Owns Us

The Story of JOE GILBERT Midwestern Rebel by DAVIS DOUTHIT

THE COOPERATIVE LEAGUE OF THE U. S. A.

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TO RUTH

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PREFATORY NOTE

Material for this book was obtained through interviews with Joe Gilbert and many of his acquaintances. Such information was supplemented by transcripts of court proceedings involving Mr. Gilbert, as well as by newspaper and magazine reports of his activities.

Special acknowledgment is made to the Harvard University Press for permission to quote from Zechariah Chafee's *Free Speech In The United States* .

Davis Douthit

Minneapolis, Minn.

November, 1947

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“ *To speak his words, is every man's right* .”— Homer .

“ *To be a man is to struggle to be free* .”— Horace M. Kallen , Dean, Graduate School, New School for Social Research, New York, N. Y.

1

1 Gadfly of Progress

Joe Gilbert isn't what you would call a national figure. Perhaps he represented too many minorities, fought for too many hopeless causes, hobnobbed with too many underdogs.

True, he did receive a burst of national publicity when the United States Supreme Court (Chief Justice White and Justice Brandeis dissenting) decided he would have to go to jail for speaking disrespectfully of the “war to end war.” That was when he was national organization manager for that once powerful farmers' political machine, the Nonpartisan League. The publicity died down, though, after the cell door clicked, and he became just another forgotten political prisoner, locked up for saying that the egg came first when the ruling political regime said it was the chicken.

No, Joe Gilbert has not lived a ballyhooed life, but he has lived a significant one, significant because it reflects, better than most lives, the restless struggle of the human race to know and, knowing, to be free, free in the sense of wearing “no man's collar,” of being “beholden to nobody,” of doing and speaking what one has a mind to do and speak, and of exercising the inalienable right to “bawl out” the umpire, the boss, the government, or any other authority. The fact that Joe reached the climax of his 2 struggle for freedom in two county

jails in Minnesota is perhaps a more accurate commentary on the general state of man's freedom today than most of us like to admit.

As far back as he can remember, Joe was a belligerent young upstart willing to do battle, at the least provocation, for what he considered his rights.

“The only rights a man has,” he liked to say, “are those he can enforce.”

And by some wonderful process, the defiant “ *I* won't be bossed!” of his boyhood grew into the “ *We* won't be bossed!” of his adult life. Resentment of, and action against, injustice to Joe Gilbert developed into resentment of, and action against, injustice to thousands of fellow Joes. For Joe Gilbert was one of those restless men, those persistent, nonconforming cusses (radicals if you like) who serve as gadflies of human progress. They buzz into the world, asserting their independence. They sting here and there, where it will do the most good, and they go on their impudent way, leaving energy, action, and headway behind them.

Joe Gilbert, individual, may not be too important. But the kind of life that Joe Gilbert, individual, lived *is* important. For it helps to tell why men rebel, why men fight for freedom, for others as well as for themselves, and why men go so far as to become unpopular radicals to win that freedom.

Perhaps Joe Gilbert's life will not occupy much space in the conventional history books—but there are those who would not trade it for a dozen or more of the lives which *will* claim the attention of twentieth-century Plutarchs.

3

2 “An Old Hypocrite”

Joseph Gilbert (for some reason none of the family had a middle name) was born in or near the Greenwich Park section of London on July 10, 1865.

“I only remember,” Joe says, “that there was green grass around there, and that I rolled in it.”

His father, tall, blond, and blue-eyed, was a conventional Englishman of the lower middle class who clerked in a London bank; his mother was a Madrid-born señorita, about whom Joe remembers chiefly that she had long, jet-black hair which reached to her heels. His father was an Episcopalian, his mother a Catholic. Of his grandparents he remembers nothing, although he does have a bit of an impression that his mother's father was a blacksmith.

There was an older brother, Julian; an older sister, Rosina; and a younger brother, Alfred. Julian, eleven years Joe's senior, was an actor of sorts, and in his youth sang in the church choir. Though clever, he was pretty much of an adventurer, Joe recalls, and a bit shiftless. Rosina married a typical English Tory, and became almost fanatically religious. Joe used to be greatly vexed with her for putting on her letters to him stickers reading, “Though your sins be as scarlet, they shall be white as snow.”

Alfred, two years younger than Joe, was another conservative. The two brothers were as far apart as the poles in their views. To Joe, Alfred was a stuffy, formal Tory capitalist. To Alfred, Joe was a radical.

When Joe was nine, both parents died, within six months of each other, and he was given a home by his father's sister and her husband, John Baines. They lived near the village of Wolverley, about four miles from Kidderminster, the center of the carpet trade in Worcestershire.

For young Joe it was a case of going from a frying pan of conservatism into an inferno of it. His aunt and uncle were ultraconventional, lower middle-class formalists, strong believers in tradition, status quo, laissez-faire, God and Queen. Uncle John had saved enough from

his wages as a butler—a station in life above which he never had the faintest desire to rise—to be able to live a fairly comfortable, and meaningless, life of retirement in a five-room cottage on a quarter-acre of land. He gardened this land intensively, giving loving care to the raising of potatoes, carrots, shallots, parsnips (from which Aunt Elizabeth made parsnip wine), cabbage, beans, fruits, and flowers. And he brewed his own ale twice a year.

Uncle John would work in the garden until noon, eat dinner prepared in a Dutch oven before an open fire, read the newspaper—the only thing he *ever* read, Joe reports and then sleep most of the afternoon.

Now, Uncle John insisted on going to the parish church—and to none other—every Sunday, and it was a rare occasion when Joe was not forced to go along. Furthermore, on the Sabbath, he was forbidden to so much as clean his shoes or to look at any book except the Bible, or maybe *Pilgrim's Progress* . Naturally enough, to a boy of Joe's spirit Sunday became a day of imprisonment, a cage through the bars of which he looked broodingly and resentfully at the church and all other institutions which he blamed for making Sunday the day it was. Chafing under the 5 restrictions to his freedom, and rebelling at the “forced feedings” of religion, he began to hate Sunday and “the whole church business” bitterly.

One Sunday, the Bishop of Worcester was to preach at Kidderminster. Now, a bishop was indeed quite a personage, worth going miles and miles just to see. So his aunt took Joe under her wing, and the two of them walked the four miles to Kidderminster to see and hear the Bishop. He preached on the text, “Remember the Sabbath day, to keep it holy. In it thou shalt not do any work, thou, nor thy son, nor thy daughter, thy manservant, nor thy maidservant, nor thy cattle, nor thy stranger that is within thy gates.”

On the way out they saw, magnificently accoutred and fully equipped with footman, coachman, and two postillions, the coach and four by which the clergyman had arrived. Joe, a boy of fifteen then, could suppress his feeling no longer.

“The bishop's an old hypocrite,” he blurted out.

His aunt was horrified.

“Sh-h,” she said, frightened lest her heretical young charge be overheard.

“Well he is,” Joe persisted. “He made his four servants and his four horses work on Sunday to get him here. *We* walked. But he made his men work so *he* could ride. And then he preaches about not working on the Sabbath. He *is* an old hypocrite.”

“Sh-h,” said his aunt, again.

Aunt Elizabeth, though, was for the most part much better company than strait-laced and intolerant Uncle John. One day, while his uncle was reading the *Kidderminster Times* , Joe was talking with his aunt and indulging in a bit of prophecy. Suddenly his uncle jumped up, crumpled the newspaper, hurled it to the floor and shouted:

“Damned young fool!”

Upon which he stomped from the room.

Joe looked at his aunt and laughed. He had only said he bet 6 that some day men would fly. But for a man of tradition, like his ex-butler uncle, it was too much.

Joe went to the Wolverley village school a couple of years, then to a boys' boarding school at near-by Stourbridge until he was fourteen. His consuming passion for independence, his stubborn refusal to bow to whatever he considered unjust authority, more than once got

him into scrapes which served as preliminaries to the main bouts he was to fight later on in behalf of other men, for much the Same principles.

In English schools it was the custom for the larger boys to require the smaller ones of the lower forms to “fag” for them, that is, to perform services of various kinds. It wasn't in Joe, however, to be a conformist in such matters. One day, he was lying on the grass reading when a “bully” ordered him to fetch a cup of water. Joe refused, whereupon the larger boy kicked him. Joe leaped to his feet, seized a cricket bat and knocked his “superior” senseless.

Another time, there had been some boyish escapade at the boarding school for which all the boys were punished by being forced to drill during a whole Saturday afternoon holiday. The school, staffed entirely by men, was run with military strictness and discipline. It was customary, after a drill, for the drill master, who was a junior schoolteacher, to give the command, “Half-turn, salute, dismissed.” On this occasion, the boys had conspired among themselves to refuse to obey. When the command was given, some saluted, some did not.

“I'll give the order once more,” the drill master warned.

This time, nearly all the boys saluted, but among those who did not was Joe, who happened to be at the head of the line. The drill master, livid with rage, rushed up to Joe and slammed his fist against the boy's face. Joe went sprawling. The master jerked him to his feet and shouted:

“Now will you salute?”

The drill master, however, had met his match. Joe would not 7 have saluted him then for anything in the world, and he did not.

One of the rules of the school was that no boy should go “out of bounds” without first obtaining the permission of one of the schoolmasters. But so far as Joe was concerned,

the rule might as well have been nonexistent. Whenever any of the boys wanted something bought from out of bounds, this English “Peck's Bad Boy” would go and buy it for a small commission.

One evening about dusk, the porter, standing on the tall flight of steps leading from the courtyard into the dormitory, saw a boy threading his way through a long avenue of trees. The porter shouted to him to come back and, when the boy ran on, caused a bell to be rung, the signal for all boys to form in line on the parade grounds. Having lined up, the boys counted off. Every single one was present, all one hundred and twenty of them. The head master rebuked the porter, telling him he must have been dreaming. What had happened, of course, was that the agile Joe, knowing he had been discovered, had run to the back of the grounds, scrambled over the railing, and got back in time to slip into the line-up.

Another night, though, he did not fare so well. Some of the bigger boys had been guilty of abusing the smaller ones after dark. So, in the evening, all the boys were ordered to be confined in a large courtyard with a high wall around it. Joe, with one of his usual commissions, climbed the wall and slid down on the other side. Unfortunately, he dropped right into the eager hands of that same porter, who promptly took him to the head master's study. At this school, as in the army, hardly any crime was regarded as more heinous than disobedience. The head master, furious, wound up a long tirade with this demand:

“Who owns you, anyhow?”

“No one owns me,” Joe answered stoutly.

This was more than the infuriated head master could stand. Seizing a hard-rubber ruler, he struck the boy on the top of his head, causing a mark which Joe bore the rest of his life.

Life at this school was indeed hard and brutal, master and boys alike exhibiting primitive and savage instincts. In such an environment, many a boy's spirit was broken completely. But.1the experience seemed only to strengthen Joe.

When Joe was fourteen, Uncle John announced, over the vigorous protests of his ward, that it would be preposterous for him to continue in school.

“Why,” he pointed out, “you might be educated out of your class!”

In his school days, Uncle John obviously had taken so many daily doses of Tory philosophy for the lower classes that he not only swallowed the stuff, but he even liked it. It was customary, for example, to repeat these lines every morning in the village school:

“God bless the Squire and his relations; And teach us poor people to know and keep our humble stations.”

And, to pious Uncle John, obedience to that principle was just as important as obedience to the Ten Commandments.

So Joe's formal education was nipped in the bud, and it was decided he should learn a trade, any trade he might choose. He was taken around to observe all sorts of occupations —carpentry, cabinetmaking, masonry, ironworking, tinsmithing, and others. But none of them appealed to him. He hankered for some intellectual or artistic pursuit. Finally, he was taken to a carpet factory and, on looking over the designing work, decided that so long as he had to learn some trade, it had better be carpet and rug designing.

He was apprenticed, under the indenture system, to the firm of Tomkinson and Adams, carpet and rug manufacturers, in Kidderminster. The apprentice period was seven years; then he would be twenty-one years old. Uncle John paid ten pounds sterling, the equivalent of $50 at gold standard exchange rates, to 9 bind the contract, under which the young apprentice was to start at two shillings sixpence, about 62 cents, for a 6-day,

44-hour week. This wage would increase another 62 cents a week each year until the seventh, when he was to receive the munificent sum of £1 ($5) a week. He was also required, by the terms of the contract, to attend a designers' school in Kidderminster at least three nights a week, at his own expense. The eight-mile journey from Wolverley to the Kidderminster carpet factory and back had to be made on foot, rain or shine, six days a week.

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3 One-Man Sitdown Strike

Kidderminster , in 1879, was a grimy factory city of about 30,000 people. Most of the streets resembled country roads in the rainy season. Some of the older inhabitants, indeed, managed to eke out a living of a sort as “crossing sweepers.” You came, let us say, to a street corner where you estimated the muck might easily reach well up above your shoe tops. Instead of going back for your hip boots, you hired a crossing sweeper —perhaps “muckraker” would be more apt—to go before you with his “besom” (broom of stout twigs), and sweep the “gumbo” to left and right. You crossed, then, quickly, before the mud returned, and you paid the muckraker a penny or so for his work.

The mud motif was carried a bit further by the city's two weekly newspapers, one conservative, one liberal. Each did its mudslinging best to vilify the other and all its works.

But there was another, far more picturesque, source of news—the town crier. This spectacular gentleman, decked out in blue tail coat with red trimmings and brass buttons, and wearing a cocked hat, would stride through the streets of the town, ringing his bell and bellowing forth his tidings. Joe tells with great relish of one occasion on which the crier was seeking to enlist the population in a hunt for two lost sheep.

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“Two sh'ps lost! Two sh'ps lost!” he cried. “Not th' sh'ps as sails th' seas, but sh'ps as snibbles and snabbles th' grass. Two sh'ps lost! Two sh'ps lost!”

Virtually the only form of public recreation in Kidderminster was in the saloons, of which there were many. There were no theaters, no playgrounds, no parks. There was the suggestion of a public library, on the top floor of the city hall, where a few shelves of books were watched over by a needy old man.

Joe used to hear from his uncle, though, tales of one of Kidderminster's former major sports attractions. They concerned the “bull ring,” which would correspond to an American town's “square,” around which the principal stores are grouped. The bull ring was so called because it was originally used for bull baiting. The bull would be led down Mill Street and into the middle of the “ring,” where it would be chained to a pole. Then a dog would be sicked on the bull (hence the name bull dog). Great crowds used to gather, Joe's uncle reported, to watch the sport and see whether the dog would be clever enough to bait the bull without being gored to death.

In Joe's boyhood, the bull ring was only that in name. The men gathered, instead, in the mills and factories and the game was to see whether *they* could avoid being gored to death by the bulls of industrialism and poverty. Out of the squalid homes and into the smoke-drenched mills and factories of Kidderminster would pour, at six o'clock in the morning, six days a week, several thousand workmen. And at six o'clock in the evening, they poured out of the mills and factories and back into their homes. Perhaps, after all, there was little time or need for public recreational and cultural facilities. The workmen scarcely had time for such folderol. Anyway, God had meant them to be lowly workmen or they wouldn't be lowly workmen, and furthermore if He hadn't meant them to work twelve hours a day, six days a week, they wouldn't be working twelve hours a day, six days a week. If you happened to be born into the upper classes—well, 12 there was really nothing to let your conscience worry about. That was just the way it was, always had been, always would be. Amen.

To Joe, the young carpet-designing apprentice from Wolverley, all such reasoning was so much tommyrot. He hated, with all his heart, the English caste system, and the

propaganda which perpetuated it; he was determined not to be caught up in its machinery and broken to pieces. In such a frame of mind, he was quick to flare up at the least imagined challenge to his own sovereignty.

In his first week at the carpet factory, two other young chaps with whom he was working started laughing at one of his awkwardnesses. Joe bristled.

“I don't permit *anyone* to laugh at me,” he cried, and proceeded to strike one of the fellows.

The fight was soon stopped, but the next Saturday the men decided that it might break the monotony if the two boys were allowed to fight it out during the lunch hour. So they were set upon each other with bare fists, while the men ringed them, placed bets on one or the other, and egged them on. The boys hammered away at each other, willingly and furiously, but neither was able to knock the other out. Finally, when both were covered with gore and ready to drop, the fight was called off. But Joe was not laughed at any more.

At first his duties consisted mainly of doing such chores as keeping the huge open fires going at both ends of the large designing room. It wasn't long, though, before he rebelled at these menial tasks. After all, he had come there to learn designing, not to be a fireman, and he demanded a chance to work at a desk. But it was unheard of for an apprentice to start learning a skill during the first year. Joe's answer to that was to refuse to do anything. He announced the beginning of what was, in effect, a one-man sitdown strike. Unable to think of anything else to do in this unprecedented situation, the head designer, a Scot named McFarlane, smacked Joe in the face, introducing strike violence. 13 The one-man sitdown strike became a one-man riot. Joe ran across the room, snatched up a pitcherful of water and, before the surprised Scot could duck, doused him. The rioter then hastily detached himself from the disturbance and went into strategic hiding.

The sitdown strike finally met with success, for when the head designer came to the realization that his problem apprentice just wouldn't do chores, Joe was allowed to prepare

Colors and even to do some design-copying work. Little by little he was able to squeeze out of the firm some knowledge about the art of carpet and rug designing.

Meanwhile, he was supposed to be attending the night art school in Kidderminster three times weekly. Sometimes, however, he went instead to the “library” on the top floor of the city hall and read Dickens or Bulwer-Lytton or Scott. He enjoyed those evenings.

It was customary for Joe to turn his wages over to his uncle, and his uncle Would give him back a few pence for spending money. In his third year of apprenticeship, when he was earning six shillings sixpence ($1.62) a week, his allowance was sixpence (about 12 cents). One evening, he broached the matter of a little raise to Uncle John, perhaps to as much as eightpence. His uncle threw up his hands.

“Why, you ought to be thankful for what you're getting,” he admonished. “When I was your age—”

“Well, if that's the way you feel about it,” said Joe, “I'm not going to be beholden to you or anybody else. I'll go live by myself.”

So the sixteen-year-old secessionist went to Kidderminster, and got a room for two shillings a week in a private home. In those days, it was customary for the tenant to buy his own groceries, and the landlady would cook the food and serve it in the tenant's room. In this way, Joe managed to get a living and save a little money each week out of his six-shillings-sixpence income. Often 14 he was invited to his uncle's home for Sunday dinner, and deferred to as an honored guest.

Emboldened by his successful foray into independent government, Joe went the next summer to New Brighton, near Liverpool. Through his brother, Julian, he was able to get a job at one pound a week as “clerk of the works” for Tom Tipping, building contractor. He was timekeeper, paymaster, bookkeeper, and general handy man under the foreman of

the construction crew, then building villas for rich Liverpool businessmen at the near-by seaside resort.

Here occurred another experience with a strike, this time from the employer's viewpoint. Husky for his seventeen years (he could pick up and throw a hundred-pound bag of plaster or cement), Joe was put in charge of the construction crew one day when the foreman was called away. Figuring on taking advantage of the youth, the laborers shirked on their job of keeping the apprentices supplied with plaster and bricks. This soldiering began to stop the work on the entire project. Joe remonstrated, but with no effect. Finally:

“If you don't do as I tell you,” he warned, “you're through. Go to the office and get paid off.”

Considerable muttering ensued, and there was some talk of “throwing the little devil into the lime pit.” Then a few went back to work. Others followed. Some demanded their pay and got it. But the strike was over, and building operations were resumed. Next day, all the laborers were back on the job, willing to take orders from the “little devil.”

About this time, serious trouble struck from another direction. Joe got a letter from Aunt Elizabeth, warning him to go back to his job at Kidderminster and conjuring up visions of Joe in jail for breaking his indenture. The young man, impressed by the logic of his aunt's argument, mapped out a plan. On Saturday afternoon, having paid the men, he took a train to Kidderminster and went directly to the home of Mr. Tomkinson, head 15 of the carpet-making firm to which Joe had been apprenticed. Tomkinson had little more reason to know Joe than Henry Ford would have to be acquainted with one of his workers, but this stopped the young man not at all. He rapped boldly on the Tomkinson door at eight o'clock in the evening. The gentleman was not in. Leaving word that he would call early Monday, Joe went to his uncle's home to stay over Sunday. His aunt and uncle jumped to the conclusion that he had decided to heed their warnings and return to work in Kidderminster. Joe did not trouble to disillusion them. He even went docilely to church that Sunday.

Bright and early, Monday, he was back at the Tomkinson home and in the Tomkinson study before the carpet magnate had finished his breakfast.

Joe told Tomkinson who he was. Oh, yes, he'd heard something about the case.

“Everything is all right,” stated Tomkinson, magnanimously. “You can come back to work.”

“But that's what I've come to see you about,” Joe announced. “Everything's *not* all right. I don't like to work here. I have a job I like better. Furthermore, if you force me to go back, I won't work.”

Tomkinson smiled, and asked a few questions. He rose.

“Well, my boy,” he said, extending his hand, “I believe you are able to take care of yourself. Good luck to you, boy.”

Then, as man to man, they shook hands. Joe returned to New Brighton.

Towards the end of 1883, however, the construction company began to find the going rough and, realizing he would be out of a job before long, Joe decided to use his savings to go abroad. He would have preferred to go to Australia but, since he had only money enough to get to New York, New York it had to be. So, after a fine Christmas dinner send-off at Uncle John's, he set sail from Liverpool for America on January 8, 1884, in the steerage 16 of the second fastest liner afloat at the time, the *Arizona* of the old Guion line.

Steerage passengers were told to take along their own bedding and eating utensils but Joe, at eighteen, was too proud to heed such advice. He walked on board carrying a suitcase in one hand and a cane in the other, looking jaunty and dapper in his new seagoing outfit, as if he were a young English gentleman heading for a stateroom.

The jauntiness, alas, vanished upon Joe's arrival in the steerage. It was a noisy, loathsome, filthy place, Joe reports, with about twenty bare-board beds—no bedding at all

—in one small compartment. At mealtimes, stewards came along, slapped some hash on plates out of a huge kettle, and doled outState coffee, bread, and rancid butter. Joe, who had neglected to bring along plate, cup, and fork, as instructed, turned up his nose at such fare. Instead, he slipped a sovereign to one of the stewards and, at appointed times, went on deck where he managed very well on chicken, beef, and other choice victuals delivered to him wrapped neatly and discreetly in napkins.

Joe spent one memorable night on board the *Arizona* . A terrific storm raged, and such wailing, screeching, praying, cursing, vomiting, rattling, and crashing he insists was surely never heard before or since. On his bare-board bed, with his coat-covered suitcase for a pillow, Joe did not get any sleep that sickening night—nor did anyone else in the steerage.

After only eight days, the *Arizona* docked in New York, and Joe disembarked with fifteen dollars in his pocket and a railway ticket to Philadelphia, center of the American carpet-making industry.

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4 Joe Meets Julie

After two days in New York, Joe used his railway ticket to Philadelphia and, upon his arrival in or near the City of Brotherly Love, received his first information about American monopoly practices. The Philadelphia & Reading train on which he rode reached the end of the line about two miles from the center of the city. The Pennsylvania, Joe learned, had been able to prevent any other railway from serving the Philadelphia “loop.” Only the Pennsylvania could enter there. The P. & R. had to stop two miles short, on the east, and the Baltimore & Ohio had to let passengers off about the same distance out in the country, on the west.

So it was early evening when Joe knocked at the door of a stone-front house in the southern, aristocratic part of Philadelphia. It was the address of a Mr. Nicholas, whose name had been given him by Miss Spencer, a schoolteacher with whom Joe had “gone

out” in England. Miss Spencer, who was religiously inclined, had known Mr. Nicholas as a fellow church worker. Joe thought that he might be able to obtain advice from him as to where to live in Philadelphia.

No servant, but a man in the garb of an Episcopalian clergyman, came to the door.

“Are you Mr. Nicholas?” Joe inquired of the tall minister.

“No, I am Mr. Johnson,” was the reply, “but any friend of Mr. Nicholas is a friend of mine. Come in.”

Chattering away cordially, he led Joe into a fine large parlor. They talked until ten o'clock, apparently finding each other exceedingly pleasant company. Then Joe decided he had better be going.

“Oh, my dear sir,” remonstrated the Rev. Mr. Johnson. “I wouldn't think of your going. You must stay with me.”

The bewildered young Englishman did not quite know what to make of such hospitality. But he accepted the offer, and tagged along as he was shown to a comfortable bedroom.

“We have breakfast at eight,” the clergyman told him. “Good night.”

Joe tried to puzzle it all out. Such hospitality, on such short notice, and from a total stranger, just wouldn't happen in England, he knew, because the two would first have had to be introduced properly and credentials exchanged. Perhaps it wouldn't happen in America, either, he pondered, in the home of the average person. It certainly was an odd proposition. He decided to lock his door. Finding no key, he shoved a chair firmly under the knob. Then came a knock. Joe hastily removed the chair and opened the door.

“I happened to remember that you have no central heating in England,” the Rev. Mr. Johnson said, “and I thought I'd show you how to regulate it here in your room.”

He pattered away again, and Joe reëstablished the chair under the door knob. The knock came again. Once more the chair was whisked away.

“Would you enjoy a little refreshment?” asked the clergyman. “Some ice cream and cake perhaps?”

Well, this certainly *was* unusual. In England, ice cream was strictly a summer treat. In the winter, one never indulged. But Joe was game to try anything once. So he ate winter ice cream 19 feeling more and more uneasy about the whole thing. Again the Rev. Mr. Johnson departed. Again Joe braced up the doorknob.

“By gosh, I'll bet he's some kind of rich lunatic,” he decided.

This time, however, he was left in peace. Morning came, and breakfast at eight, and the Rev. Mr. Johnson continued to treat Joe as if he were, at the least, a prince of the blood royal. At last convinced of his host's sanity, but still marveling at the warmth of his reception, Joe said good-bye and promised that he would surely go to the clergyman's church the next Sunday. For Joe, that was quite a promise, but he kept it when the time came.

Now, spurning a streetcar, he walked four miles to the industrial district and launched his job hunt in the office of the first likely-looking carpet factory. He was sent from the office to the gatekeeper, who referred him to the office.

“I've been to the office,” said Joe. “You go get me the superintendent.” And he edged inside the gate.

“The superintendent isn't in,” stated the gatekeeper in a final tone.

“Then get me the head designer,” Joe commanded, in the manner of a man who knows exactly how he wants his eggs done.

The gatekeeper, taken aback at being told what to do by a man who wanted a job, obeyed. He took Joe to the head designer, an irascible, dyspeptic-looking German, named Adolf Petzold.

“Can you do this?” he asked, showing Joe some design copying work.

“Yes.”

“When can you start to work?”

“Right now.”

“All right, go ahead.”

And Joe had his first job in America.

Nothing was said about pay, but at the end of his first week he received eight dollars for forty-four hours of work for John Bromley & Sons. The firm had been founded by an English-born 20 Quaker who had first woven carpets on a hand loom and had sold them in Philadelphia from wheelbarrows.

The next Sunday, Joe kept his promise to the Rev. Mr. Johnson by going to church. Afterwards, the clergyman greeted him with a slap on the shoulder, exclaiming:

“I've got just the place for you to live. The son is your age, and his widowed mother is one of my communicants.”

The place was about five miles from the carpet factory, and on the other side of town, but Joe, disliking to refuse the kind offer, accepted.

A first impression received by the young immigrant was that New York City and Philadelphia were crude, overgrown country towns compared with English cities. Streetcars in America, for example, were small, horse-drawn contraptions with a running board along each side. Hay strewn down the aisle and under the two car-long benches helped considerably, especially in wet weather, to create the odor and appearance of a stable. There was no comparison with the cleaner, double-decked, smoother-running English trams.

American people seemed crude, too, in comparison with their cousins—in fact, almost uncouth. Joe observed especially the great amount of tobacco chewing, and marveled at the presence of gobboons in aisles of public buildings, courtrooms, and churches. In England only the lower classes chewed tobacco. In America all classes, including judges and ministers, indulged. But the new American noted one immense improvement over England. Thanks partly to the use of anthracite fuel, the air was clean and clear. The grimy, murky atmosphere of industrial England was absent.

At his carpet-designing job, Joe became friendly with a young German Social Democrat named Albert Weiss. He was one of hundreds of thousands of German workers, intelligent and educated, who had fled from the fatherland and had brought their socialism with them to the freer air of America. One day, Weiss 21 excitedly exclaimed to Joe, “I want $5 from you right away.”

“What for?” asked Joe, surprised.

“I want to get you a subscription to a book. This is a great book. I want you to subscribe. It is *Das Kapital* by Karl Marx.”

Neither the name of the book nor its author meant anything to Joe. In fact, it was the first time he had ever heard of either. But he “subscribed,” and later learned that this publication was the first English edition of *Das Kapital* to be marketed in America. At the

time, however, he was not greatly concerned with economic theories and he put the book aside.

Another co-worker was Marshall Robbins, a middle-aged consumptive. Robbins came to the conclusion he would have to give up working at Bromley's and go to Easton, Pennsylvania, where his wife's folks lived. Joe decided to go with him. The two of them set up a rug-designing shop in a house on College Hill, near Lafayette College, and started an unpredictable, carefree business life. Robbins, who drank a great deal but rarely was drunk, liked to work only when the spirit moved him. Frequently this would be about nine or ten o'clock in the evening, and the spirit would hang around most of the night. On such occasions Joe, too, arranged to hang around.

“I learned more about carpet designing in a few months working for Robbins than I would have learned in seven years at Bromley's,” was Joe's tribute.

Life in Easton was not without other rewards. There were, for example, boating on the Delaware and Schuylkill rivers, horse-and-buggy rides, bicycle trips (those were the days of “century runs”), and other similar adventures. The college environment sorely tempted Joe, and he made plans to enter Lafayette that fall. Then work fell off to the point where there was not enough to keep both Robbins and Joe busy, and the younger man, not yet twenty-one, volunteered to hunt a job for himself in New York.

When he announced his plans to the two elderly ladies—a 22 mother, ninety, and her daughter, seventy—from whom he rented his room, they were horrified. He might as well have told them he had bought a one-way ticket “plumb to hell.”

“Oh, you can't do that,” the daughter exclaimed. “You stay here. It doesn't matter whether you pay any rent or not. Whatever you do, don't go to that wicked city.”

But Joe, as in many other “stop or go” issues in his life, decided to go. Equipped with two carpet designs supplied him by Robbins, he started off for “that wicked city.” He arrived

on a Saturday morning, pawned his watch and, with the proceeds, engaged and paid a week's rent for a room in an east-side tenement. This transaction left him a cash balance of twenty-five cents.

With the twenty-five cents and the two designs, he entered the office of the Brussels Tapestry Company on East 42nd Street and began to try to sell his wares to Manager Lyons. He asked twenty-five dollars each for his designs. Lyons said that was too high, and offered eighteen dollars apiece. Joe took it. He really hadn't hoped for such good luck.

“How would you like to come to work here?” asked Lyons.

“What do you pay?” Joe inquired cautiously.

“What do you want?” parried the manager.

Joe thought of the thirty-six dollars and felt pretty flush.

“Twenty-five dollars a week,” he announced confidently.

“Oh, that's too much for a young fellow like you,” barked Lyons.

“Well, I didn't ask you for a job, did I?” Joe snapped back. Thereupon, he turned and left.

That night, on the strength of his sale, Joe had a downstairs seat at the Fifth Avenue Theater to see Edwin Booth play Iago in “Othello.”

In a few days Joe returned to Easton, worked with Robbins a while, and obtained two more designs, which he took to New York and sold to the Brussels Tapestry Company. Again Lyons 23 offered him a job. This time, Joe accepted on a piece-work basis. It so happened that the head designer was frequently “out of order” because of too much liquor, and considerable work accumulated. As a result, within eight days, Joe was able to turn

in a bill for forty-five dollars for designs. Impressed by this volume of work, Lyons fired the head designer and gave Joe the job at twenty-five dollars a week

Shortly afterwards, Lyons received a bill for fifty dollars for two designs which Joe had made before his promotion. Lyons rushed to the young man and shoved the bill in front of him.

“Something wrong here,” he shouted, champing vigorously on the big black cigar which always stuck out of his face.

“How's that?” Joe asked, quietly.

“Those others were only eighteen dollars apiece,” roared Lyons, “and these are twenty-five!”

“Yes, but that time *I* was anxious to sell,” Joe pointed out, undisturbed. “This time, *you* bought.”

Lyons snorted, turned on his heel, and rumbled back to his office, exploding cigar smoke as he went. The new head designer grinned. He knew he would get his price.

One evening, Joe had a date with Carrie Smith, who worked in the designing room of the tapestry company. When he arrived at her rooming house, he was informed that the young woman had been suddenly called away and that she had requested a friend who lived in the same house to entertain him for her. The friend's name was Julie Caro Morris, the youngest of sixteen children of the Rev. John Morris, a Church of England clergyman in Devonshire.

Miss Morris had come to America as a governess in a private home but, at the time she met Joe, she was working in an insurance office. She had been well educated in England at a girl's private school, as was customary in the level of life to which she was born.

Joe was at once attracted by her rosy complexion, her blue 24 eyes, and her wealth of fine-textured golden hair. As he knew her better, he also came to appreciate her talents for dancing, singing, and music, and her friendly tolerant nature. They got along famously from the beginning, attending entertainments and meetings of all kinds. Both liked music, the opera, and the theater. They were frequent visitors to the famous Lyceum Theater of Daniel Frohman, to see performances by Edwin Booth, Ada Rehan, Tommaso Salvini, and other famous Shakespearan actors and actresses of the day. After about six months, on November 13, 1886, the Rev. Theodore A. Easton, of St. Clement's Church, married the couple in a private home at 130 West 13th Street.

It was the beginning of a harmonious married life which came to an end only after fifty-one years, with Mrs. Gilbert's death. Throughout those years of ups and downs, she kept her end of the pact bravely and cheerfully, even though, because of her frailties and her sensitive nature, she suffered physically and mentally at times, particularly during Joe's year and three months in jail.

On occasions, Julie displayed psychic traits. There was the time, Joe recalls, when, in Philadelphia, he had gone away on a bicycle trip lasting several days, and Julie was staying at the home of friends. One night, she had a vivid presentiment that he was coming home, bleeding and injured, and that he would be coming in the back door, although it had never been his custom to enter that way. She insisted on going home to find out what had happened. Late that night, her husband did come home—and he was injured, though not seriously. Moreover, he did come in the back way. He had had a bad spill from his bicycle on a rough Pennsylvania road, and he decided he looked like too much of a mess to come in the front entrance.

Another time, Mrs. Gilbert suddenly awoke in the middle of the night crying, “Why, Flo!”

“What's the matter, Julie?” asked Joe, startled.

“I'm sure I saw my sister Flo in this room,” she answered solemnly. “She smiled at me.”

Her sister was in England, and the two women had not seen or spoken to each other for many years. The next day, however, a cablegram came from England announcing Flo's death.

26

5 Life in Philadelphia

The young couple began learning to take it on the chin even before they were married, for the Brussels Tapestry Company decided to close out its rug and carpet department and confine itself to the making of tapestries. Since Joe knew nothing of tapestry making, he was out of a job. The wedding date had been set, however, and he was not one to let the lack of a job stand in the way. He hurried back to Philadelphia and got a promise of employment again with John Bromley & Sons.

With that promise to go on, he returned to New York and was married. Then back to Philadelphia to work. Nothing had been said about pay, and at the end of the first week he received only $13. They were paying $14 a week for board and room. Undaunted, Joe began to make carpet designs at night, and Julie peddled them in the daytime to the trade. Bromley's finally heard what was going on and raised Joe to $18 a week. Then, after Julie got an income of her own, tutoring children of the Drexels, Biddles, and other aristocratic “main line” families, it was comparatively easy sailing.

Thus began fourteen years of life in and near Philadelphia, years in which Joe's horizons of experience and understanding widened immeasurably, widened until he thought he could see at 27 last—though dimly—what he wanted to do more than anything else.

He became a successful carpet designer; indeed, he could do everything in a rug factory, from the designing to the running of a loom or any other machine. Before long, he was

made foreman of a rug department, and later head designer of a firm in Camden, New Jersey.

For a short time, the Gilberts went to church but Joe, permanently allergic to churches, went only to please Julie, and Julie, loyal and understanding, finally ceased to insist on their attendance.

“She told me,” Joe recalls, “that if anyone could live as good a life as I did without going to church, it must not be so absolutely necessary for me.”

Instead of joining the church, the Gilberts became members of the Society for Ethical Culture, an organization founded by Felix Adler, with centers or chapters in the principal American cities. The members consisted, for the most part, of wealthy and influential intellectuals who had traded the orthodoxy of religion for the orthodoxy of ethics. But the society also developed a crust of radicals of various shades—Socialists, Single Taxers, anarchists, and even a few freelovers.

Through meetings of the Society for Ethical Culture Joe became a close friend of Horace Traubel, Walt Whitman's devoted Boswell. During Whitman's later years, Traubel went nearly every day to visit the poet in his Camden home, and Joe often went with him. On one of these visits Whitman presented Joe with an autographed copy of his “Leaves of Grass,” which later was bound for him in crimson morocco leather by Agnes Lychenheim, Traubel's sister.

Whitman lived an invalid's existence in an upstairs room of a little old frame cottage. The room, heated by a small stove, was plainly furnished, as Joe remembers it, with a rugless floor which was usually littered with paper, for Whitman wrote on any scrap 28 which came to hand. The poet was a huge six-footer, as Joe describes him, heavily built. Indeed, everything about him seemed to connote heaviness; his long, bulky white beard dropped ponderously, his hair was long, his voice was deep, and even his eyelids drooped. He would sit in a large easy chair to talk with his visitors, and sometimes would urge them to

have a drink of wine —from glasses which were never washed from one day to the next. At that time the poet was cared for financially, and in large part physically, by Traubel and other faithful admirers.

Through Traubel and Whitman, Joe became acquainted with many of those friends, men like Robert Ingersoll, the atheist, who delivered one of the funeral addresses at Whitman's tomb; John Burroughs, the naturalist; and Dr. Richard Maurice Bucke, the alienist, who wrote a book, “Cosmic Consciousness,” seeking to show that there is a cosmic sense, a feeling of the universe, possessed by great religious leaders, and contending that Whitman had this sense.

Traubel, in addition to organizing what was called the Contemporary Club, composed of notables in the liberal world of Philadelphia, formed within the Ethical Culture Society a group which met for discussion of current topics and attitudes on Sunday mornings before the main services, and also during the week. This group, to which Joe belonged, attracted a number of the “left wingers” of the day. Needing representation higher up, and recognizing that Joe had natural ability as a speaker, they contrived to elect him a trustee of the Society. At this time, the Society, on the advice of Adler, proposed to enact a rule which would require all applicants for membership to be passsed on by the trustees. It was a move to blackball the radical left wing “untouchables.”

Joe, faithful to his constituents, and alone among the trustees, strenuously opposed the proposed new rule. He accused the trustees of using a moral yardstick to measure their fellows, despite their claims that everyone was welcome to fellowship in the Society, 29 irrespective of religion or opinions. The issue came up at the annual membership meeting following Joe's election as trustee. There was a record outpouring of members. In the end, however, the left wingers were greatly outnumbered, the majority of the trustees was upheld, and Joe's contingent of forty resigned, much to the relief of the society.

Joe was not long, however, without a battle field. This time it was a Democratic convention at Harrisburg, Pennsylvania, to nominate a candidate for the State Supreme Court. Joe's qualifications for leadership had boosted him in a short time to the vice-presidency of the Jackson Club, largest Democratic group in Philadelphia, and in 1898, he was a delegate to the Harrisburg convention. (He had become an American citizen some years before.) Joe was a Bryan “silver Democrat” as opposed to the anti-Bryan “gold Democrats.” The State's Democratic bosses, however, were “gold bugs” and were putting up Judge Burke of Bucks County, a “gold bug,” as their man for the Supreme Court.

There was nothing for Delegate Gilbert to do, of course, but tilt with the State machine. The state boss at the time was Joseph Guffey, whose son was to be a United States Senator. Joe, brash and bellicose, confronted the white-haired political veteran in the latter's hotel room on the night before the voting. It was Guffey's plan to allow the various county delegations to vote for their favorite sons, and then at the opportune moment have the Philadelphia County delegates vote solidly for Judge Burke. Joe warned Guffey, however, that if an attempt were made to cast the Philadelphia votes as a unit, he would contest the action and do his damnedest to stampede the convention. He would be able, he pointed out, to create the dangerous impression that there was a serious rift in the Philadelphia delegation.

Joe won his point. Then, pressing home the advantage and prestige which that victory had obtained, he and his supporters were able to swing enough votes from the country delegations to 30 get behind, and nominate, a Bryan Democrat. The machine had been effectually monkey-wrenched.

Joe, it was evident, was beginning to apply lessons learned in Birmingham, England, at a Dwight L. Moody revival meeting. That religious rally, “for men only,” was attended by fifteen thousand.

“I was astounded by what I saw,” Joe says. “There never was anything like it in the Church of England. Strong men wept. They went by the hundreds to the mourner's bench to be saved. I wondered and wondered what was the secret of Moody's power. And finally it came to me. It was not so much what he said—it was his intense earnestness, and his passionate belief that what he said was the truth.”

This same zeal, this same conviction that the triumph of the cause for which he fought was absolutely necessary to save the world, made Joe a powerful influence for the movements he championed.

What these movements were to be was already being determined for him through the men and the literature he was coming to know. He read Marx. He became acquainted with Dr. Daniel Longaker, Whitman's friend and physician, who also had many patients among the laboring classes. He knew Henry George. He met Keir Hardie, famous English Laborite, and Laurence Gronlund, Danish Socialist. He went to Socialist Labor and other kinds of meetings at which the issues of the day were expounded and debated. But he was not yet ready to become a Socialist. The Socialists then were mostly foreigners, with accents, and their meeting places were forbidding, dingy little halls.

Much more respectable and influential at the time was Henry George's Single Tax movement. It was based on the theory of “no taxes on buildings and improvements, but a single tax on land,” and was intended to be a body blow to land monopoly. Frank Stephens, one of George's lieutenants, became a personal friend of Joe's, and tried hard to enlist him in the Single Tax 31 program. But Joe was still not quite ready for such things.

“The trouble with you fellows is that you don't see things' in their proper perspective,” he told Stephens. “Nothing is so all-fired important as to demand your entire energy. Why, I wouldn't take a thousand dollars to get up on a soap box, however holy the cause is.”

Joe listened, instead, to the blandishments of Thomas B. Harned, a brother-in-law of Traubel, who was one of the city's most prominent corporation attorneys, a “bon vivant,” and a patron of intellectuals. Harned, Traubel, and Dr. Bucke were Walt Whitman's literary executors.

“Joe,” said Harned one day, “how much are you making?”

“Oh, about twenty-five hundred a year,” replied Joe, casually.

“Why, you could make that much in a month at law,” exclaimed Harned.

“But I can't afford to go to a university to get a degree,” argued Joe.

“You don't need to,” Harned persisted. “You could pass a preliminary bar exam. Then you could register with me as a law student.”

Joe decided to make a stab at it and took his preliminary oral test, a general examination which covered a wide field of subjects, and which was designed to show whether the examinee had at least as much knowledge as a university graduate. On one question he did not do so well. He was asked to locate the Ohio River. At this particular stage in his travels he had never heard of it, but he decided to take a chance.

“In Ohio,” he bluffed.

“You mean it bisects the state?” queried his examiner.

That sounded like a warning signal; Joe trimmed his sails a bit.

“No-o-o,” he said cautiously, sparring for time, “not exactly.”

His questioner pressed him, however, and finally he broke down and admitted his geographical ignorance.

“But,” said Joe quietly, “I think I know my way around.”

Apparently the examiners agreed, for Joe passed and became eligible to take the bar examination four years later. Then began a period of intensive reading and studying, which included books on economics, as well as law. He studied on his way to and from work, on cable cars, on boats, and at mealtimes. Besides this, he kept up an active social life with Mrs. Gilbert, attending operas, concerts, plays, and other events in the lives of cultured Philadelphians. Their well-furnished home was the scene of many a lively party at which Mrs. Gilbert was the charming, vivacious hostess, and Mr. Gilbert the suave, affable host.

At length, Joe was one of thirteen entitled to take the bar examination. He was one of five who passed and were admitted to the bar. At the age of thirty-one, he left the carpet-designing trade and moved into the offices of Corporation Attorney Harned as a fledgling lawyer. This step was the beginning of several years of legal business life which became increasingly uncomfortable. Heretofore, Joe had been able to indulge his passion for independence, and to do practically as he pleased. Now, he came gradually to the belief that if he were to succeed at law, he would have to become subject to the will and the whim of others. As a craftsman, he had been comparatively independent. If he considered that his rights had been infringed upon, he could—and on occasions, did—tell his boss where to go, upon which Joe could also go elsewhere. It was not so, however, in the legal profession. He had to handle too many cases tongue in cheek.

One day he came upon Harried, muttering to himself.

“What I wouldn't have given,” he exploded to Joe, “to have been able to kick that fellow out of the office.”

“Why didn't you?” asked Joe, naïvely.

“Oh, you can't do those things,” exclaimed Harned, shocked at Joe's question. “That man has *money* .”

It was one of the last straws of disgust for Joe. He gradually 33 was becoming convinced that he could never wear comfortably the garments of a life of kowtow. They were resplendent apparel, all right, but they fit too tight. To be sure, in fourteen years in Philadelphia, the Gilberts had advanced their material welfare considerably. Joe was well along on the road to what is carelessly called success. In legal circles, he was looked upon as an up-and-coming corporation attorney. He was a prominent and popular member of the Democratic Party's Jackson Club. He spent the best part of many a night in the club rooms playing poker and drinking and “politicking” with party leaders.

“I could drink more whisky, and still keep sober, than almost anyone I ever knew,” was one of Joe's comments on those days. “People say to me, ‘You must have taken good care of yourself to be in such good physical condition at your age.’ The truth is, many times I sat up all night playing cards and drinking, and then I'd go home, take a cold bath, drink some black coffee, and go right off to the office”

But he had other and greater attributes as a political personage. He was rapidly gaining recognition as a fluent and persuasive speaker, with high qualities as a leader and strategist.

Indeed, it seemed as if the former steerage passenger now had the world at his feet. All he needed to do was to bow to his environment, act in the conventional way, play the game—and riches, influence, power, and position would be his for the taking.

But Joe was blessed (or troubled) with a keen, inquiring, analytical mind. His understanding had kept pace with the advance of his material welfare. He had not listened for nothing to men like Whitman, Burroughs, Ingersoll, George, Gronlund, Hardie, and Traubel. He had been reading more and more; his awareness of economic issues was

becoming increasingly acute; and that logical, orderly mentality of his enabled him to organize and retain the knowledge which he was soaking up.

Somewhat uncertainly at first, perhaps, he began to see a connection between his own passion for individual freedom and 34 the demand of these unorthodox, radical thinkers of the day for group or mass freedom.

“No one owns *me!* ” Joe had told the head schoolmaster.

“No one owns the *people!* ” was the challenge which–as Joe now was becoming aware, albeit dimly—was being hurled against the nation's economic head masters.

He himself suffered no ill effects from the panic of 1893. It happened that he had just signed a contract as head designer, and 3he drew his pay, even though the carpet factory was closed for some time. But he could not help becoming increasingly conscious of the unemployment, the drastic wage cuts, and the strikes and discontent which followed the panic.

“General” Coxey's army of unemployed marched on Washington. Pullman Company employees went on strike in Chicago. The courts granted an injunction, and President Cleveland sent federal troops to help break the strike. Eugene V. Debs, then a railway union leader, defied the injunction and was imprisoned. Edward Bellamy's “Looking Backward” and William Morris's “News From Nowhere” were published, and Joe read them. The Populist Party began its rise on a platform of sympathy for the farmer and the laboring man. And William Jennings Bryan “orated” his way to the leadership of the Democratic Party on the same sort of platform. It was a time of vigorous, and sometimes violent, protest by the “little fellow” against an unfair use of economic power, against a government and its courts which seemed to weight the scales of economic justice in favor of the “big fellow.”

Constituted as he was, Joe was slowly coming to realize that he would have to make up his mind, some time, to take sides. The idea must have made him extremely uncomfortable. It meant that sooner or later he would be forced to choose between a sure thing and a gamble, between conventional comfort and comparative security on the one hand, and rather certain hardship and insecurity on the other.

35

As they were coming home from “La Traviata” one night, Joe talked it over with Julie.

“But why are you so unhappy, Joe? You have a good position. We have everything we could wish for. We have lots of friends. Everything is fine. What do you want?”

“I don't *know* exactly what I want,” said Joe, very seriously. “But I do know that this kind of living doesn't mean much. It doesn't go anywhere, nor get anywhere. Hasn't any purpose. It bothers me.”

“But, Joe, what do you want to do?” inquired his wife, anxiously.

“I can see myself preaching,” he replied abruptly.

“You can't preach. You don't even like to go to church,” smiled Julie. “How could *you* preach?”

“Oh, I don't mean preaching in church, Julie. I don't quite know *what* I mean. I just know that I want to get away from here,” came the answer, with a groan.

“But, Joe, you've come long way. You're a successful attorney here. I've heard people speak highly of you.” His wife was becoming really worried.

“Julie, what's the sense of being praised by people for whom you have nothing but contempt?” Joe's voice shook with feeling. “What do I care what simple-minded people

think who look on riches as the badge of success? What's the sense of having to shut up and fit in for the benefit of other men, all grinding their own axes? I don't like it. It's rotten!”

Once she saw that Joe would never be satisfied with anything short of a clean break, Julie went loyally and cheerfully along with her husband's plans, though she would have preferred to stay in Philadelphia, for she reveled in the city's social life. Even yet, however, Joe had no specific object in mind. He knew only that, nearing thirty-five, he wanted to jerk from his own neck the “other man's collar” and wear his own or none at all.

“You can put seeds in the same kind of soil, in the same environment, 36 and give them the same treatment,” said Joe, once, in trying to explain his decision to shake off Philadelphia. “Some will come up weeds, some flowers, some turnips. Men are like that, too. One fellow will grow up an artist, feeling impelled to express himself in oil on canvas; another may become a financier, impelled to acquire great wealth and power; another may become a criminal, impelled to rebel against the social straitjacket by stealing. I guess I grew up impelled to rebel against authority and to fight for the right to do as I please. Why, if I had to choose between working on an assembly line and being a tramp, I'd be a tramp.”

As yet, though, Joe was fighting for *his* independence. It was still a personal war for freedom. Oh sure, he was all for freedom for others. He was sympathetic to a degree. But he was not yet ready to make their struggle his struggle. He had no intention whatever, at this time, of joining the Socialist Party or any other radical movement. He planned only to get away from a law firm which required him to do things that offended his principles. He planned vaguely to “go west” and hang out his lawyer's shingle there, responsible to no one but himself. He knew that, so far as he was concerned, the price he would have to pay for an easy chair in Philadelphia included his freedom of mind, his freedom of speech, his freedom of action, and his freedom of friends — and that price was too much. He knew that for him it would be the most difficult thing in the world to “shut up” and “fit in,” to submit to the desires of other men for *their* benefit. So, laughing aside insistent assertions by his associates that he was several kinds of fool, he impudently turned his back on it all. In the

spring of 1900, the rebelling Gilberts cut their Philadelphia apron strings and boarded a train for Seattle, Washington.

37

6 Gold Rush Mutiny

By 1900, Seattle had mushroomed into a city of about 80,000. This growth had followed the discovery of gold, in the fall of the year before, on the sands of the beach at Gape Nome, Alaska. A tremendous gold rush ensued, with Seattle as the embarkation point. During the winter thousands upon thousands arrived in the city, and poised there for the dash to Gape Nome by sea as soon as the ice broke. It was with difficulty that the Gilberts found a place to live; and Joe, who had an idea that Seattle would be a good place to hang out his lawyer's shingle, found that there were no offices to be had.

Succumbing to the feverish lure and excitement of a gold rush, but planning also to practice a little law in the settling of disputes over claims, deeds, and titles, he decided to follow the crowds to Gape Nome. From the American Trading and Transportation Company he sought first-class passage to the north. They were sorry, they were sold out. But they would fix Joe up with a “standee” passage. That is, he would have full first-class privileges but no stateroom. A “standee” ticket would be one hundred and twenty-five dollars. Joe took it—and waited for the sailing date.

One day, early in June, he was told to be at the pier at 5 p.m. 38 The *Roanoke* , his ship, was due to sail for Nome, along with everything else that could float. For two hours the gold rushers stood outside the gates, in a driving rain. Then they were told to come back at 10 p.m. They did—and about midnight they were permitted to board the ship. Almost instantly she sailed.

The *Roanoke* was packed like an excursion boat, with at least a thousand persons on board. Conditions were almost indescribable. The “standees” were assigned cots in the hold of the vessel, a place which Joe described as “foul, dark, and wretched.”

“I'll never stay in a place like this,” Joe swore. “This is an outrage.”

With others of like mind, he protested to the ship's officers, who said they would do their best for them. This turned out to be the top of a piano for Joe. Other first-class passengers got blankets and lay down in the saloon of the ship. The floor was jammed with sleeping men.

Next morning, in the dining room, there were fights between the passengers and the help over the food. The waiters were burns and pimps, recruited from the red-light district of Seattle, who were working their way towards more lucrative fields at Cape Nome. The food was poor. There was no decency, no cleanliness. Graft was rampant. The only way a person could get halfway eatable food was by bribery.

Joe could hardly comprehend the situation. Conditions were much worse than they had been in the steerage of the ship: on which he had come to America. He tried to talk the passengers into doing something about it besides grumble, but they would not act. They were afraid to offend the American Trading and Transportation Company, which had valuable concessions and considerable power and influence at Nome.

After a few days, the *Roanoke* cast anchor at Dutch Harbor, at the eastern tip of the Aleutians. It was a beautiful day, the sea was calm, the sun was bright, and the weather was comparatively warm. Joe was walking the deck with a young attorney, 39 also from Philadelphia, with whom he had become a close friend.

“Let's go down into the steerage and see what it's like,” Joe suggested.

They hadn't gone far before a stench arose “strong enough to knock you down,” Joe asserts. Going on, they came upon a scene as revolting as the stench was powerful. Bearded, unkempt men were standing up to eat off improvised tables held by pegs. Above the tables was a sub-deck, about seven feet from the floor, and on this sub-deck were cattle. Excrement fell through to the tables below where the men were eating.

Violently Joe burst out:

“By God, are you *men* and stand for this!”

The men looked around in amazement as Joe began to harangue them and to prod them into doing something about it. And as he talked and exhorted with deadly seriousness, his overflowing indignation caught hold. They *would* do something about it. It was arranged that they should all come forward on the first-class deck about suppertime, that evening.

Joe spread the news of the coming meeting among the first-class passengers. They were alarmed. “Call it off,” they advised him, “or you'll be put in irons.” Joe replied that he had already gone too far to take their advice; it was too late now to call anything off.

About 6 o'clock, the steerage began to come forward by the hundreds. Joe jumped up on a chair and started talking. Ship's officers came rushing up with drawn revolvers. They did nothing, however, to disturb the meeting. It proceeded in an orderly fashion to adopt a resolution authorizing Joe to appoint a committee consisting of one representative of each class of passengers. This committee was to draw up a bill of complaints and present it to the captain of the vessel.

The steerage passengers retired quietly and orderly, planning to meet again at the same time and place, the next day, to hear the report of the committee. With Joe as chairman, this committee 40 accordingly drew up a document describing the conditions that prevailed, and asking that they be corrected.

That night, a sailor notified Joe that the captain wanted to see him in his cabin. He obeyed the request. The captain, a big Canadian, was smoking a pipe with the first and second mates. Issuing no invitation to sit down, he yelled:

“You're the fellow who is organizing a revolt, are you?”

“I don't know what you mean by revolt,” Joe replied. “If you mean, did I preside at a meeting tonight, that is correct. I did.”

“You're not sick, are you?” The captain glared at him.

“No,” replied Joe, quietly.

“Who the hell are you, anyway?” the captain roared.

“It is no concern of yours who I am. It is enough that I am a passenger of this ship. I am supposed to be under your protection, as are all the other passengers. We expect you to do your duty.”

“I know my duty,” shouted the captain. “I'm not intending to leave it up to you what my duty is. Who *are* you?”

“I'm an English gentleman, if that will satisfy you, and I propose to be treated right. If all you can do is insult me, I'll wish you good night.”

And Joe walked out, unhindered.

Next morning, the entire committee confronted the captain.

His demeanor now was entirely changed. Courteous as could be, he invited them to sit down and have drinks and cigars.

“Well, gentlemen,” he said, “I am just as much ashamed of this as you are. I am not responsible, for I did not know that any of these conditions existed until I stepped on board. After I got on board ship, I found the company had given me the crew that you have seen. The chief steward had never been at sea before. He got 'lippy' with me and I knocked him down. Now he's in the hold, peeling potatoes. I am not responsible. But if there is anything I can do, I'll be pleased to do it.”

The committee suggested some things that *could* be done. The 41 vessel could be cleaned; it could be provisioned properly with fresh water and decent food; order and discipline could be maintained if, at meals, the captain and other ship's officers would sit at the head of the tables; conditions in the steerage could be cleaned up.

The *Roanoke* stayed thirteen days at Dutch Harbor, awaiting the breakup of ice to the north, around Cape Nome. By the time she left, all the suggestions of the committee had been carried out. Joe's first adventure as a “radical agitator” had met with unqualified success.

But more significant, Joe, for the first time, had done battle for others than himself. It was the indecent treatment of the men in the steerage that had fired his indignation and stirred him to lead the “mutiny,” not for his right, but for theirs.

“No one owns *you!* ” he had told them, in effect, and they had rallied to his leadership.

The incident must have given Joe an encouraging push towards later meaningful decisions.

All kinds of ships reached Cape Nome about the same time in their mad gold race. But there was no adequate harbor, and the passengers had to be taken off in small boats. This was true of Joe's ship and passengers. Most of them strapped their belongings to their backs. Bigger pieces of equipment, such as sand-dredging machinery, as well as Joe's knockdown house and his bicycle, were rafted in. The beach soon became a miserable

sight. There were no buildings. Most of the stuff was left right where it was unloaded, while the men hurried to pitch tents.

Joe and his lawyer friend foolishly put up their tent on the tundra back of the sands. It snowed, that first evening, and, to ward off the chill, the two pioneers lighted their oil heaters before going to sleep. The heat, alas, thawed the tundra under the tent, releasing quantities of vapor and steam. Joe's throat was so affected that he could only whisper the next morning. The ailment soon vanished, but it boded something worse to come.

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Thousands of men, meanwhile, were plunging aimlessly about trying to organize expeditions to go up the creeks in search of gold. Soon a town had been built, consisting of one long row of frame structures facing the sea. Most of the buildings housed saloons, gambling dens, and brothels. The decent women in the place could be numbered on the fingers of one hand. Murder was a common occurrence. Occasionally, troops were sent in and order would be maintained, but only for a while.

The surrounding country was a most desolate place. The tundra back from the sea was like frozen swampland with little hummocks. Underneath there was solid ice, which in summer would thaw a little. The country was rolling, with many ravines and creeks. Through the summer it boasted of a wealth of wild flowers, but apparently nothing else grew, and nothing could be cultivated. Wandering over the land, one would see a few little scrub oak trees in some gulleys. That was the picture, and really desolate it was.

Contributing to the misery of most of the boom town's inhabitants, a federal judge, in connivance with crooked attorneys, held up claims and appointed receivers. Scores of men were living on their last dollars. The price of food and other commodities went sky high as the supply neared exhaustion; then, as a shipload came in from Seattle, the bottom dropped out of things and prices tobogganed. All this fed the confusion, the graft, and the crookedness, without which no man seemed able to exist. Hundreds of men,

penniless, had to be taken back to Seattle in a United States revenue cutter or they would surely have starved to death.

Joe's lawyer friend had returned at the first opportunity. Joe himself, in the midst of this senseless welter of money madness, came down with typhoid fever. He was carried on a cot to an old boat at the mouth of the Snake River, where a middle-aged woman acted as his nurse. He realized he was in for a serious siege, for he had been knocked out by typhoid before in Philadelphia. 43 So, before he became delirious, he gave detailed directions as to just how he was to be cared for. He was to be bathed with water and vinegar, and was to be allowed all the water he could drink, but no food.

For ten days he was out of his head. Then he began to recover. But he had little strength or energy to do anything. All he wanted was to get back to Seattle and Julie. Weak, disillusioned, and disappointed, he made the last boat for Seattle that fall. The Gilbertian Nome campaign had ended in utter rout.

44

7 ‘Stump Preacher’ in Washington

There followed months of comparative inactivity in Seattle, but Joe did manage to get a law office by buying out another fellow. Then, without effort on his part, plenty of business walked in through the door. Seattle was growing rapidly and clients were to be had merely at the hanging of a shingle.

One case that came into the Gilbert office involved a killing in the tough Franklin coal camp section. A Negro about nineteen years old was accused of the crime, and it looked as if he were doomed to be hanged as an example to the lawless elements of the crude young metropolis. Attorney Gilbert, however, having taken the case, decided to see it through to the finish and to do his utmost to save the Negro from the gallows. He went down to the coal camp on a Saturday night, mixed with the motley crowds of whites and blacks, listened to the talk, asked questions here and there. That night, he stayed in a Negro

boarding house. By morning he had obtained a more or less complete story of the killing. It seemed that the victim was a prostitute who had robbed the young Negro of his last penny. Discovering what she had done, he struck and killed her. So far as Joe could learn, the act had not been premeditated.

Laying the facts before the county attorney, Joe announced 45 that he would defend the Negro, but offered to enter a plea of guilty of murder in the second degree. The county attorney agreed, and Joe's client, instead of hanging, got off with fourteen years. For his trouble, Joe had the satisfaction of knowing that he had saved a man's life.

He soon realized, however, that a lawyer in Seattle was no more independent than in Philadelphia. He saw attorneys in Seattle doing, for their monetary profit, things far more damaging to their opinions and their principles than their Philadelphia brothers had done. In these disheartening circumstances, Mrs. Gilbert saved the day. Julie had a great penchant for getting around and making friends. During her husband's trip to Nome, she had dropped in on some Social Democrat meetings. Julie happened to tell Joe about these meetings, and how they were so different from the ones in Philadelphia. One Sunday they went to one together. Joe was intrigued immediately, and thereafter began to go regularly.

At a Social Democrat New Year's Eve dinner, on December 31, 1900, someone remarked to Joe that he ought to start the new year right by joining the party. This last gentle push proved to be all that was needed. Joe paid his membership dues on the spot. He had finally taken the step to which all the first part of his life had been leading, the step which set the direction of the rest of his career—he had become a Socialist, for the Social Democratic Party was merged into the Socialist Party within the year.

Joe had joined with his eyes open. He knew he was breaking with society, as represented by leaders of the old order. He was shutting the door on any chance he may have had to lead a comfortable, complacent, capitalistic existence. Joe knew that either he had to squeeze out a living of a sort working full time for the Socialist Party, or he had to become

an opportunist and work for the party on the side. He warned Julie that the step he was taking might mean both poverty and persecution. Julie, however, 46 was a good sport. Furthermore, if Joe thought it was right for him to take up socialism as his life's work, she knew it must *be* right. To Julie, Joe was monarch of all he surveyed, and could do no wrong. If he thought the thing to do was to lead a hand-to-mouth existence working for the Socialists, she was quite willing to go along.

Joe himself cared little for material possessions, though he was no “bohemian”; he did like to be well-clothed, well-fed, and well-housed. “Give me neither great riches nor poverty,” was a saying he liked to repeat, and it aptly expressed his views on the subject. But for him to give up a chance at wealth represented little sacrifice on his part. He had a sincere contempt for men of affluence, and he had no desire to emulate them.

Joining the Socialists, however, did represent another Gilbertian milestone. Consciously, now, Joe was turning his back on “No one owns *me!* ” and adopting as his central principle, “No one owns *us!* ” It was not, however, because he had suddenly been overcome with sympathy for “the people” that he now made common cause with them through the Socialist Party. It was not because his heart had suddenly begun to bleed for the poor workman and the poor farmer that he was now willing to undergo hardships in their behalf. Joe was no sentimentalist. No, it was simply because Joe, arranging and analyzing what he had read, what he had heard, what he had seen, and what he himself felt, had arrived inevitably at the conclusion that the individual would be better off only if the great masses of the people were better off.

“Let me make this clear,” said Joe once, in a moment of frank self-examination. “Primarily, I was animated by no spirit of brotherly love, as such. I put myself out for others not just because of a natural human desire to help them, but more because I had finally realized that *I* could not be free unless *they* were free.”

At heart, then, and in mind, Joe remained an individualist, 47 but he was an individualist who believed strongly in collectivism as a means to strengthen, not groupism, but individualism. “I'm a collectivist because I'm an individualist,” was the way he put it. “I don't think the individual can develop to his fullest capacity unless the group does so.” Whatever the motive, for Joe Gilbert self-interest had now been merged, so to speak, with the public interest.

At the turn of the century, various brands of socialism were struggling for a foothold on American political shores. Each was trying, in its own way, to take the misery and unhappiness out of the fast-growing industrial system, but each was intolerant of the other's methods. The Social Democratic Party, of which Joe became a member in Seattle, was comparatively a newcomer. It had been launched in 1898, with Victor L. Berger, of Milwaukee, as one of its chief organizers, and with Eugene V. Debs as a charter member.

Longest on the scene was the militant Socialist Labor Party of Daniel De Leon, which had started a stormy career in 1876. The Socialist Laborites sought to organize the working classes politically, and also to unionize them in competition with Samuel Gompers' American Federation of Labor, which was sticking to “pure and simple” trade-unionism and leaving politics alone.

A resolution adopted by the Socialist Labor Party in 1896, at De Leon's behest, declared: “We call upon the socialists of the land to carry the revolutionary spirit of the Socialist Trade and Labor Alliance (the AFL rival) into all the organizations of the workers and thus consolidate and concentrate the proletariat of America in one irresistible class-conscious army, equipped with both the shield of the economic organization (the STLA) and the sword of the Socialist Labor Party ballot.”

Joe, in common with other Social Democrats, as well as many Socialist Laborites, did not see fit at this time to go along with a dual, political-industrial program. They believed it to be better strategy to keep the political party and the trade-unions separate 48 as

organizations. The issue finally became so hot that the Socialist Labor Party split on it, and in 1900 the bolters joined the Social Democrats in supporting Eugene V. Debs for President and Job Harriman for Vice-President. In 1901, the two groups held a unity convention at Indianapolis which marked the official beginning of the present-day Socialist Party, for many years a real third-party threat. The Socialists, in their first platform, recognized that trade-unions would “strengthen the power of the wageworking class” but, in contrast to the Socialist Labor Party, pointed out that unions are “by economic and historical necessity organized on neutral grounds as far as political affiliation is concerned.”

Socialism has meant many things to many men in many countries. The socialism of Russia is not the socialism of adherents in the United States. Socialism in 1900 was not the same as socialism in 1920 or 1940. Socialism to Joe Stalin was not what socialism was to Leon Trotzky. To Joe Gilbert, socialism was not something wild, violent, and destructive. It was orderly, nonviolent, and constructive. He saw socialism as a political movement that would strike at social and economic injustice and make it possible for men to win the freedom which he knew they must value above everything else. He saw it, in short, as the way to a world in which the poor man and his family would have rights and opportunities equal to those of the rich man and his family.

At last, Joe had found his medium. At last, he could do what he had told Julie in Philadelphia he wanted to do—preach. The principles of socialism, as he interpreted them, would be his gospel.

The Socialist meeting place in Seattle was in a small store building an Union Street. *Socialist Party* was painted in red letters on the window. Sitting in the window, among slogans and displays of literature, was a huge stuffed kangaroo. Socialists who jumped away from the Socialist Laborite fold were called 49 kangaroos, and a stuffed kangaroo, sent in derision to the Socialists by the Socialist Laborites, had been adopted as a mascot by the Socialists.

Almost as soon as he joined the party, Joe was urged to become the local secretary —without pay, of course. He consented, on one condition: that he would be allowed to perform his duties in accordance with his own ideas. That condition was agreed to, and the job was his.

Reforms were launched immediately. The new secretary's sense of the fitness of things and his flair for the dramatic had long been offended by the way in which the Socialists conducted their meetings. The hall was off the beaten track, it was unattractive, the meetings were poorly advertised, and the men would stand around the doors on Sunday evenings, smoking and spitting. All in all, these things created a rather disagreeable foreground for a movement devoted to world betterment.

The new Socialist leader made some drastic changes. He hired a man to live in the basement of the hall and keep the place clean, take care of it in general, and sell literature, cigars, and other items before and after meetings. He rented the hall during the week to labor-union gatherings, and the income more than paid for the rent of the building. And the final stroke: he engaged Germania Hall, known as the best in the city at the time, with a seating capacity of more than five hundred, for public meetings to be sponsored by the Socialists every Sunday evening, with a Socialist banner strung permanently across the sidewalk.

At these gatherings no loafing was permitted around the doors. The meetings were conducted with plenty of decorum. There were ushers to show people to their seats, and Mrs. Gilbert supplied a high quality of piano music. Joe, himself, was usually the speaker of the evening. As a result, the place was packed every week. Collections were taken, just as in church, and the party's treasurer soon began to have some money to account for.

Another Gilbertian innovation was the elevation of recreation to a high place on the program. Every Friday night, a dance was held in the Union Street building, with

refreshments and other social trimmings. One Friday, however, there was a serious question as to whether the dance should be held. It was soon after the assassination of President McKinley, in September, 1901. An anarchist, Leon Czolgosz, had fatally shot the President, and the crime had resulted in a tide of bitter feeling against all “radicals.” In Seattle, this took the form of proposals to “go and clean out that nest of Reds on Union Street.” In view of this feeling, the Socialists debated whether or not to hold their customary dance, for fear their enemies might call it a celebration of McKinley's death. Joe, however, took the position that it would he a big mistake not to have the dance.

“If we change our program,” he said, “those fellows will say that we feel guilty and have crawled into our shells. Let's go ahead as if nothing had happened.”

This counsel proved to be wise. The dance was held on schedule, and though there was plenty of muttering around the edges, nothing untoward happened. The next Sunday evening, however, Germania Hall could not hold the throng which tried to attend. Someone slashed loose the party's banner, but, though the air was electric with suppressed feeling and tension, nothing snapped and no other trouble occurred.

In neighboring Tacoma, the rival Socialist Labor Party unit had not fared so well. A meeting had been scheduled in the Tacoma armory for the Sunday immediately following McKinley's death. But when people arrived, they were turned back by a band of armed vigilantes, known as The Loyal Legion. When the speakers came, they were taken inside the armory and warned to keep their mouths shut. The intimidation succeeded in preventing the meeting, and the newspapers wrote up the whole affair as a great joke on the “fighting SLP.”

News of the Tacoma incident stirred the Seattle Socialists to 51 action. Joe wrote a strong letter to the Mayor of Tacoma, announced that the Socialists proposed to hold a meeting in that city on the next Sunday evening, and warned him in plain language that they would not tolerate any such breach of the law as had occurred the previous Sunday evening.

He asserted that he had consulted legal authorities on the matter, and that many of those who proposed to attend the meeting would be prepared to defend themselves in case the City of Tacoma did not provide proper protection. If there were evil consequences, the responsibility therefor, Joe declared, would be the city's. Whether or not it was because of this letter, the Socialists had the satisfaction of holding their meeting without interference, either from the police or from The Loyal Legion, and they also had a big laugh at the expense of the rival Socialist Labor Party.

Going after his new-found life work like a dog after a bone, in less than a year Joe became Socialist Secretary for the State of Washington and gave up his law practice to devote full time to the cause of socialism. As State Secretary he undertook the job of organizing Socialist locals throughout Washington, going anywhere, any time, at his own expense, if he thought there was the slightest chance of getting results.

One day, he saw an item in the paper announcing that the Populists of Whitman County, in eastern Washington, were going to meet on a certain day in the town of Colfax, about eighty miles from Spokane, to talk over the advisability of joining the Socialists. At this time, the Populist Party—which had been trying to do for the farmers much of what the trade-unions and Socialist Parties were trying to do for the city workers—had about shot its bolt. Many of its followers had been swallowed up by the Democratic Party of William Jennings Bryan. Others lost interest when farm prices rose after 1896. In eastern Washington, however, the Populists were still fairly numerous, and Joe decided it would be quite a feather in the Socialist cap if the proposed merger could be effected. He wrote immediately to find 52 out whether he would be welcome to attend the conference. He was informed that he would be.

Joe arrived at Colfax about noon and went immediately to the courthouse. There he found that about forty farmers had met in the morning, talked, and done nothing. They were to reconvene at one o'clock. When the farmers came, they made only a small group in the big courtroom, so, at Joe's suggestion, all adjourned to a small jury room, which they

filled. The chairman urged Joe to speak, but that strategist coyly declined. He pointed out that they must have had something in mind, in calling such a meeting, and that he much preferred first hearing from them. Further, he suggested a round robin statement, with each one stating in his own way just why he had come, and what he hoped to achieve.

This suggestion was followed, after which Joe elucidated in his most convincing manner the advantages of joining the Socialists. His presentation pleased the farmers immensely, and one of them proposed a vote of thanks to him for coming clear across the State to talk to them. Another fellow said he thought they should pay the speaker's expenses to the meeting, and threw some money down on the table. Everyone proceeded to do likewise. Enough money rained down to pay a man's transportation from Seattle to Colfax and back again. Men who would have howled to high heaven at an extra mill in the tax rate tossed out money for Joe's expenses as if it grew on bushes on their farms. In the Colfax paper, the next day, Gilbert was referred to as “a mild-mannered gentleman of great persuasive powers.”

The upshot of the Colfax trip was that the Populists urged Joe to stick around and organize Socialist locals. Meetings were arranged for each school district in Whitman County, the first to be held in eight days, and Joe was to be “passed around” from one rally to another for nearly a month. He wrote Julie the results of his eloquence and, pending the first meeting, went 53 to Spokane to see what could be done about tilling the Socialist soil there. A Socialist Labor local had led a hand-to-mouth existence for a while, had become discouraged, and quit. Joe, however, got a handful of the old leaders together in his hotel room and succeeded in infecting them with enough enthusiasm to try again as a Socialist local. They agreed to do so on the one condition that at least one member of the Socialist State Committee would make his home in Spokane. Washington, it was pointed out, was much like two different States, East and West, with the mountains dividing the two sections. The Spokane people in East Washington wished assurance that they would not be forgotten by the state organization in West Washington. This seemed to Joe a reasonable request, and he took it upon himself to promise that, if possible, it would be

granted. He rashly guaranteed that, if it were not granted, he would come and live in Spokane himself.

Back to Whitman County, then, for a month of daily meetings. At these rallies, held for the most part in country schoolhouses, the hat was passed to meet expenses and Joe stayed overnight in farm homes. In the morning, the farmer would hitch up and drive Joe on to the next place. At every meeting he was able to organize a Socialist local. For the first time, the party could number groups of farmers among its membership. Heretofore, the various versions of socialism had been confined to urban industrial centers. Joe insisted, however, that there was no fundamental conflict between the interests of the workers and of the farmers. He declared that both were exploited by monopolistic big business, and that both could benefit by joining, under the Socialist banner, for protection of their common interests.

Farmers, as well as city workers, had reason to battle the railroad monopoly with its high freight rates, the banking monopoly with its high interest rates, the manufacturing monopoly with its high machinery prices, and the land monopoly with its high 54 real estate prices. Farmers, as well as city workers were in debt, and their creditors were often the same people. Back in 1892, Joe pointed out, the Populist Party had included in its platform this statement: “The interests of rural and city labor are the same; their enemies are identical.”

Unfortunately, the Socialist Party at its birth had been unable to agree on a policy towards farmers. One viewpoint was that farmers belong to the possessing, hence the exploiting, class.

“The harder the work of the farmer,” said Job Harriman, one of the Party leaders, “the more vigorously will he struggle to reduce the wages of his help.”

On the other hand, another Socialist leader, Seymour Stedman, insisted that the farmer is exploited just as much as the laborer, and that he “has little more absolute control over his commodities than the laborer has over his labor power.”

So it went, and the question was left unsettled.

Upon his return to Seattle, then, Joe discovered that his plans to welcome farmers into the Socialist ranks were not approved by all of his colleagues. Instead of hailing him as a conquering hero for spreading socialism among the farmers, the State Committee regarded him coldly. He learned that, in his absence, Dr. Herman F. Titus, editor of the Socialist paper in Seattle, and an ambitious member of the State Committee, had been conducting an anti-Gilbert campaign. Titus charged that, though Gilbert was supposed to have gone over the mountains to convert more people to socialism, he had instead been converted to populism. This charge appeared to be rather widely believed, so that when Joe broached the proposal to have a State committeeman live in Spokane, it was flatly turned down. Furthermore, the committee refused him permission to fulfill his promise to live in Spokane.

Joe, however, was not so easily balked. He fired this parting shot at the committee:

“You gentlemen refuse to permit me to keep my promise. But 55 you cannot prevent it. I will resign from the committee and go as an individual. I'll keep my word to live in Spokane:”

In 1902, leaving Mrs. Gilbert in Seattle, temporarily, Joe returned to Spokane to make his home with a Socialist workman. He redoubled his evangelistic efforts and, among other projects, started a Socialist printing and publishing corporation, financed mostly by the sale of shares to farmers. In a few months he was able to have Julie join him in editing and publishing a Socialist weekly, called *The New Time* . He rented an old building, outside the business section, with one large room like a hall and a smaller room at the back. In that

back room was set up a small printing plant. Here a young union printer would set type by hand and make up the page forms which would be sent over to a larger shop for printing. The flat papers were delivered to *The New Time* office the same day, and that evening a “folding party” would take place in the big room. Volunteers folded and addressed the papers on tables formed by laying boards over sawhorses. Then, while Joe took the papers on a pushcart to the post office, the room would be cleared and there would be dancing and refreshments, with Julie playing the piano.

Every Sunday night a public meeting was held similar to the Socialist functions in Seattle. Besides labor unionists, many persons of considerable prominence and social standing were attracted to the Socialist ranks. Judge William E. Richardson, a former Populist, wore his Socialist button on the bench. Joe's brand of Socialism boomed, and it wasn't long before he was able to move the printing shop into the heart of the city and acquire a cylinder press, linotype machinery, and other printing equipment. The circulation of *The New Time* increased to more than 3000, spreading into Idaho, Oregon, and Utah.

Joe, meanwhile, received invitations to speak all over the State. He went by all kinds of conveyances—stagecoach, horse and buggy, train, and “Shank's mare.” He spoke to lumberjacks, farmers, miners, and common laborers. He spoke in logging 56 camps, saloons, large and small halls, and on street corners.

At one logging camp, he spoke in a building with a dirt floor above which rose two tiers of bunks. The smell of drying clothes and stale smoke filled the air. A row of horse stalls smelled considerably better. Most of the men were sitting on the ground and playing cards, but they stopped long enough to listen to their guest speaker.

Another time, Joe was escorted afoot and through rain over five miles of a corduroy log road to reach a logging camp meeting. Asked why in the world he wanted to bring a speaker on socialism to such a God-forsaken place as that, the man who had invited Joe replied:

“Well, I just wanted the rest of these men to know that I'm not the only crazy man in the world.”

Another trip took Joe into Douglas County, in the range country. He was met at Coulée City at the end of the railroad line by the meeting's sponsor, and they set off behind a pair of spanking horses. They ran into a storm and made for shelter at a big farmhouse. The living room was filled with cowboys, but there was one stout fellow, who seemed to be doing most of the talking, who was not a cowboy. It finally developed into a free-for-all discussion on the merits and demerits of capitalism and socialism. Finally, the big fellow sailed in on Joe, giving him a tongue lashing meant to have the effect of a haymaker. Such agitators as Joe should stay in the cities with the proletariat, he declared, instead of coming out into the country and trying to stir up unrest in peaceful rural communities. The cowboys appeared to be swinging over to that side of the case. But the haymaker served only to spur Joe on to greater efforts.

“Are you through?” he demanded, when his attacker finally had run out of breath.

“Yes,” answered the violent speaker.

“All fight, now you let me talk. I didn't interrupt when you were talking. You keep still while I talk.”

57

And Joe started in, letting loose such a flood of oratory, invective, and argument as had never been heard in those parts before. He gradually regained the ground he had lost and soon had the crowd swung over to his side. He wound up to the sweet music of spontaneous yelling, applause, and whistling. Then a strange thing happened. The big fellow strode across the room, grabbed Joe by the hand, and offered him a job working for a big insurance company in St. Louis.

“I thought I could talk,” he said, “but you out-talked me. And anybody who can do that ought to be able to get lousy rich selling insurance.”

Joe rejected the offer.

On another speaking tour, he was trying to reach an earnest Socialist named George Bent, who lived off the beaten path at a place called Summit, which could be reached only by stage from Elma, about eight miles away. Summit, however, proved to be only a logging camp, with no accommodations whatever for strangers. Bent's place was about half a mile distant through the forest. Joe went on, only to learn from Mrs. Bent that her husband had been away for some time and was not expected home for three weeks. Upon learning who Joe was, however, she insisted that he have supper with her and her three little girls, and that he stay overnight. Next morning, he discovered that he could not get a stage back to Elma until that evening. Looking at a map, he saw that Olympia, his next stop, was about twenty-five miles away, with the route right through the forest.

“Well, I may as well walk it,” he told Mrs. Bent.

Nothing she could say about the probability of his getting lost would dissuade her guest, once his mind was made up, and he started out, suitcase in one hand, a satchel full of Socialist literature in the other. For miles at a time he could not see the sky, but he managed to follow a trail which brought him safely to Olympia that evening.

At Olympia, he began hunting for another Socialist character, 58 named Martin. He finally found him in a shack in a small orchard far removed from any road. Martin was sitting in a room bare of furniture save for an old cook-stove, a table, two chairs, and a small oil-lamp with a globe blackened on one side. He was reading by the lamp. The man was an unkempt, middle-aged fellow with straggly black whiskers, but he was intellectually agile, and Joe spent a couple of hours with him in absorbing conversation. Martin informed his guest that he was welcome to stay the night if he were satisfied with the accommodations.

This was agreeable to Joe, so they adjourned to another room, on the floor of which were a mattress and blankets, and a litter of papers, pamphlets, and books. Martin said he found the arrangement very convenient, for all he had to do was to reach out from the mattress to get whatever reading matter he wanted.

Such were the people and the places a Socialist “stump preacher” of the early twentieth century came across in the State of Washington.

As time came near for the annual State Socialist convention in Seattle, Joe decided to try to turn the table on the Titus faction. Taking advantage of the proxy system of voting then in use, he arranged a series of meetings between Spokane and Seattle which he addressed, and at which he gathered proxies. When the convention took place, he had enough votes to run the whole show, and he did, making himself chairman and proceeding to get a State committee elected which was altogether to his liking.

Victorious, he returned to Spokane, but here new trouble awaited him. An ambitious young man who had been working on circulation promotion of *The New Time* had persuaded his father, a well-to-do farmer, to buy enough of the treasury stock to give him control of the publishing corporation. Not knowing Joe, he thought, of course, that Joe would remain and work for him. Joe, however, unwilling to take orders from the circulation manager, resigned and accepted a call by the Socialist State 59 Committee of Utah to address meetings, organize locals, and publish a paper in that State.

He left Spokane in August, 1903, went to Seattle to wind up some affairs there, and then headed for Pocatello, Idaho, where he was scheduled to address a Labor Day meeting. He stopped at Portland, Oregon, to kill some time, and decided to make a trip to Oregon City, a small woolen-manufacturing town nearby, though he knew no one there. When he arrived, he set up a soapbox in a likely looking street, went through various vocal antics until he had raised a crowd, and then went to work on socialism. At the end of his talk, a well-dressed man came out of the crowd, handed him a card, and said he

would be pleased to have Joe visit him next day. He turned out to be a prominent political character of the time, W. S. U'Ren, an attorney, and father of the initiative, referendum, and recall in Oregon. Joe accepted his invitation, and, when U'Ren was insistent, stayed not only that night at his home but also the next two days and nights. As the soapbox acquaintances parted, U'Ren told Joe he had “learned more in the last three days than in years of reading.”

Proceeding leisurely toward Pocatello, Idaho, Joe next stopped off at Weiser. Leaving his grips in the depot, he walked uptown to the newspaper office, where he casually inquired whether there were any Socialists in town. Yes, the newsstand man and the proprietor of the leading hotel were Socialists.

The newsstand man gave Joe a cordial reception, and the two of them arranged a meeting for that night. The collection netted Joe enough to pay for his room and board, buy a railroad ticket to Boise, and still have a little left over. At Boise, he repeated his performance and netted enough to take him the rest of the way to Pocatello. And after Pocatello came Utah.

8 A Socialist Gets a Job

Much of Utah consists of a series of north-south valleys between mountain ranges. Mormons, in settling the State, had founded many populous and prospering communities, but by 1903 the railroads had not penetrated many of the valleys, and frequently a well-populated district was miles from the nearest railway station.

One such district was Ashley Valley. To reach it from Salt Lake City required a two-day stagecoach trip, during which the four-horse team was changed three times each day. This valley, its orchards fairly bursting with fruit, had a population of about ten thousand farmers, and small towns were scattered up hill and down dale. There were no industrial plants, but the people — all Mormons — were prosperous and contented. Vernal, the

county seat of the valley, was proud of its asphalt-paved main street. It also made excellent use of the fine waterpower available, and all the homes had electricity. (This was in 1903, remember.)

It might be considered difficult to make any headway with the doctrines of socialism among such a people, but the Mormons seemed to take to socialism, provided it was properly interpreted, like ducks to water. For it could be shown that socialism and the Mormon religion had a great many similar principles. Under the 61 Mormon interpretation, as applied in some areas of Utah, possessions were held in common, for example, and production was for the whole community. Small wonder, then, that socialism, as expounded by Joe, appealed to many of the people of Utah. The Socialist vote in the State increased from about 700 to 8000 in two years.

Joe made his headquarters in Salt Lake City, and after a few months was again joined by Julie. Undismayed by the unhappy end of *The New Time* in Spokane, he started a Socialist weekly called *The Crisis* . During the week, he made trips throughout the State, traveling from place to place with Mormon leaders, and staying each night in a Mormon home. He recalls that the various wives were introduced by their first names, as, for instance, Sister Ann, Sister Mary, or Sister Ruth.

At the close of one meeting, when Joe was surrounded by the usual group of people congratulating and questioning, a be-whiskered old Mormon gripped his hand, peered into his eyes, and asked:

“Brother, are you a saint?”

“No,” said Joe, “I'm sorry.”

“Well, sir,” the old gentleman said, “that was mighty good Mormon doctrine you were giving us.”

Joe came across some remarkable characters in Utah, in addition to the Mormons. Many letters came to him as editor of *The Crisis* from a Dr. Schoch in southern Utah. Finally, Joe went to see him. He was met at the nearest railway station by the doctor himself. In a buggy drawn by a team of thoroughbred horses, they traveled from early morning until four o'clock in the afternoon to the doctor's bachelor home in Grass Valley. The house, built into the side of a hill, contained every evidence of culture and refinement. There were a piano and many books. The doctor, a graduate of the University of Pennsylvania Medical School, had been a surgeon in the Civil War, and was known far and wide in that part of the country for his skill as a 62 physician. As a hobby, he bred blooded horses. The two men talked over many subjects together and liked each other immensely. They traveled together for a week, holding meetings in that part of the State.

Another colorful character was Charles E. Randall, a bachelor who lived in Salt Lake City in a wagon which must have been a forerunner of the modern trailer home. Randall was a night telegraph operator, and years before had been a Chicago newspaperman. He had accompanied Victor Berger when the Social Democrat leader visited Gene Debs, in jail at Woodstock, Illinois, in connection with the Pullman strike of 1894, and he had helped to convert Debs to socialism. Randall had had a house-wagon built especially for him to live in during a trip into Arizona and New Mexico to study Indian life for the Smithsonian Institution. The house-wagon was equipped with lockers, a sleeping berth which folded into the side, and an acetylene gas stove. One day, Joe had the bright idea of using the vehicle for campaign purposes during the 1904 presidential contest. So he and Randall painted, in bright red letters on the white wagon:

“VOTE THE SOCIALIST TICKET — DEBS AND HANFORD. READ *THE CRISIS* .”

A phonograph inside, a horn outside, and a team of heavy draft horses completed their equipment. They would drive into a place for the night and start the phonograph, like a couple of medicine men. The crowd would collect, then Joe would stand on the tailboard

and preach socialism. Collections and sales of literature more than paid the expenses of the campaign.

This was the same Joe Gilbert who, back in Philadelphia, had told Henry George's single-tax lieutenant, Frank Stephens:

“The trouble with you fellows is that you don't see things in their proper perspective. Nothing is so all-fired important as to demand your entire energies. Why, I wouldn't take a thousand dollars to get up on a soapbox, however holy the cause is.”

Helping Joe put out *The Crisis* was a little Irishman, William 63 Dalton, formerly an ardent Socialist Laborite, and an associate editor with Daniel De Leon of *The People* , the Socialist Labor organ. He had joined the party in Chicago, but had tired of the whole thing and had gone to Utah to escape. Joe liked Dalton a great deal, mainly, he said, because he was “the first SLP man I ever met who had a sense of humor,” and he finally talked him into becoming active for socialism again as his assistant on *The Crisis* . Volunteer help in publishing the paper carne from men such as Murray Schick, editor of the Salt Lake City *Tribune* , and Murray King, afterward with the Nonpartisan League and writer for the *New Republic* and other liberal journals.

During the campaign, in 1906, to raise funds for the defense of William D. Haywood, Charles H. Moyer, and George A. Pettibone — accused of causing the murder of ex-Governor Steunenberg, of Idaho, in connection with a bitter mining strike — the Salt Lake City Socialists staged one of the most dramatic public meetings in the city's history. The Haywood case had stirred up much feeling throughout the nation, and in Utah the militant Western Federation of Miners, of which Moyer was president and Haywood secretary-treasurer, was making an especially strong fight in defense of the accused trio.

On this particular day, two Haywood defense fund rallies were scheduled for the Salt Lake City Labor Hall. In the afternoon was the union-sponsored meeting; in the evening, the Socialist. Speakers came from Denver for the afternoon affair, which went off without

incident. It had been noised about, meanwhile, that the real fireworks would go off in the evening, and the hall was jammed at an admission fee of twenty-five cents.

First on the program was a ladies' orchestra, led by Mrs. Gilbert. The women, dressed in white, with red sashes, played the Marseillaise and other martial airs. A professional elocutionist recited John Boyle O'Reilly's “City Streets” and for an encore a poem, “The Murder of Mike Devine.” The latter had been one of a group of miners herded into stockades and guarded by 64 troops in the strike which preceded the killing of ex-Governor Steunenberg. Devine, dying of tuberculosis, asked to see his wife. His request was refused. He asked for a priest. This request, too, was denied. He died, pleading with the miners, so the poem related, not to sign the “yellow dog” contract which the mine-owners were trying to force upon them.

By the time the story of Mike Devine's death had been told, in all its lurid details, the crowd was ready for action. Joe whipped them into a still greater frenzy against their “capitalist oppressors.”

“What should we do with men like that?” he demanded. “They are not human. They are devils incarnate. I tell you, it is war to the knife, and the knife to the hilt.”

He began chanting an adaptation of an old Cornish refrain.

“Shall William Haywood die? Shall William Haywood die? A hundred thousand fighting men shall know the reason why!”

By this time the crowd had gone mob-wild, howling, and jumping up and down on their chairs. If Joe had told them to go across the square and burn down the courthouse, they would probably have done so instantly. Their leader had sense enough, however, to keep control of the situation and prevent violence. The Haywood-Moyer-Pettibone defense fund, though, was swelled by hundreds of dollars and the Socialist Party received columns of publicity. Salt Lake City newspapers agreed, the next day, that Joe Gilbert was a more

dangerous man to society than Eugene V. Debs himself. (Haywood, Moyer, and Pettibone were acquitted in 1907.)

Although the Socialist Party, at its first convention, had adopted a hands-off policy toward trade-unions, and had declared its belief that such organizations are of necessity neutral, so far as political affiliation is concerned, the dual-unionism issue would not down. It was brought to the forefront in 1905 by the move to organize the Industrial Workers of the World' (IWW). Spearhead of industrial, as distinct from craft, unions was the Western 65 Federation of Miners (WFM). The WFM declared its dual (political as well as economic) character in its preamble by stating that the only way for workers to win their freedom was through “an industrial union and concerted political action.” In addition, the WFM lathered the American Labor Union to challenge the American Federation of Labor. AFL craft-unionism, it was charged, “shatters the ranks of the workers into fragments” and fails to promote industrial and class solidarity.

Prospects of a damaging battle between the AFL and the ALU gave the Socialists some uneasy nights. They were grateful for the support of WFM members, but many did not feel that the Socialist Party or its official representatives should advocate the WFM or any other industrial union in opposition to craft-unions. Nevertheless, Eugene V. Debs, Bill Haywood, and other Socialists were among those who, acting as individuals, early in 1905 issued a manifesto in favor of industrial unionism. A convention was called to be held in Chicago in June, 1905, to organize the IWW.

In *The Crisis* , Joe had been plugging vigorously for industrial unions (similar to those in the later Congress of Industrial Organizations) for sometime. Indeed, he had become so outspoken on the subject that the Socialist “home office” in St. Louis had tried, unsuccessfully, to prevent his election as a national committeeman from Utah. Joe, therefore, very much wanted to get to that Chicago meeting. At the same time, he thought he would like to tour the country and feel at firsthand the revolutionary pulse of the working class. Joe planned to leave *The Crisis* in charge of Bill Dalton and Mrs. Gilbert, and talk

his way to Chicago. With this in mind, he corresponded with various Socialist locals and arranged meetings in Denver, Kansas City, Omaha, Grand Island, and other cities. He had intended to go on beyond Chicago and return in time for the convention, but opposition within the party to his industrial-unionism stand made it practically impossible for him to get speaking dates east of there and, 66 though it was more than a month before the convention, he was forced to stay in Chicago.

A chance meeting with an old Philadelphia friend, Dr. Morris Lychenheim, brother-in-law of Horace Traubel, saved him from a thumb-twiddling existence in the Windy City. Lychenheim introduced him to Milton Bucklin, a semi-Socialist who was editor of a trade journal, published by the Cooperating Merchants Company, called *Mixed Stocks* , and Bucklin signed him up to help get out that month's issue. That finished, he applied, on the spur of the moment, and on the strength of his carpet-designing knowledge, for a job as salesman in the carpet department of Siegel, Cooper, and Company. He was hired at fifteen dollars a week. After ten days of this work, he again heard from Bucklin. It seemed that Edward T. Keyes, general manager of the Cooperating Merchants Company, had died, and Bucklin had taken his place and wanted Joe to become editor of *Mixed Stocks* , even though he did not plan to remain permanently in Chicago. Joe accepted. Then came the IWW convention.

The Salt Lake City Socialist delegate took an active and prominent part in the proceedings. As the conference got under way, Joe met Daniel De Leon, the famed leader of the Socialist Labor Party. De Leon, somewhat egotistic and dogmatic, seemed amused that a man from Utah should be interested in industrial unionism.

“Is there any class struggle in Utah?” he asked.

Joe was not timid about accepting the challenge.

“Why, you New Yorkers don't know what the class struggle is,” he flared back. “You ought to come out to Utah, or Colorado, or any of these Western States where industrial feudalism reigns supreme. Then you would see the class struggle at its height.”

De Leon, momentarily at least, was silenced.

As the convention got under way, Joe urged strenuously the 67 election of either Debs or Haywood as president of the new organization. He pointed out that the IWW would require the strongest man available to steer it successfully through the hazardous days ahead. Neither Debs nor Haywood, however, would accept the presidency, which went to Charles O. Sherman, a brother-in-law of Debs.

The IWW was to be one great industrial union embracing all industries. It was to be another rival of the AFL. And it left no doubt as to its intention to seek to organize workers solidly on the class-struggle basis. Thus, its preamble stated:

“Between these two classes (the working class and the employing class) a struggle must go on until all the toilers come together on the political, as well as on the industrial, field, and take and hold that which they produce by their labor, through an economic organization of the working class.”

As Joe had foreseen, however, the IWW was beset, almost from the beginning, with internal ructions. Serious splits occurred, both in 1906 and in 1908, on the question of going in for political action. Failing to make any dent at all in the AFL unions, it staggered along until 1912, when a militant faction gained control and launched a series of spectacular strikes. By the end of World War I, most of its leaders had been imprisoned and the IWW was nearing its end. Its career was a disappointment to many of the men who had founded it with such high hopes.

Joe stayed on in Chicago for several months, editing *Mixed Stocks* , and then returned to Salt Lake City and Julie, late in the fall, making speeches as he went. By the next spring

(1906), however, he was reaching the end of his financial rope; and, when the board of directors of the Cooperating Merchants Company in Chicago offered him the job of manager to succeed Bucklin, he returned to Chicago and accepted the offer. Bill Dalton carried on as editor of *The Crisis* .

The Cooperating Merchants Company was an association of 68 Midwest retail merchants who had banded together to meet the competition of the fast-growing mail-order houses. Each member-merchant subscribed for $200 worth of stock in the company. The merchants would send in their orders for merchandise to the company, where they would be pooled, classified, and placed with various wholesale houses. This collective, or cooperative, purchasing enabled the merchants to meet mail-order prices in most instances; in fact, they were urged by their parent company to keep the mail-order house catalogs on their counters to be able to prove to their customers that they were “in line.” The company at its peak had a membership of nearly five hundred merchants.

Keyes, when he was general manager, became acquainted with “Golden Rule” Jones, famous Toledo Mayor, with Jane Addams of Chicago's Hull House, and with some University of Chicago professors. Through one or more of these acquaintances he heard about consumer cooperatives and the great size of the cooperative movement in Great Britain. The British co-op story fired his imagination, and he became obsessed with the idea of turning the stores of members of the Cooperating Merchants Company into retail consumer cooperatives, owned by the customers, just as the company itself was owned cooperatively by its customers, the nearly five hundred merchants. But Keyes was never able to convince the merchants of the wisdom of so doing, and they refused to go along on a program which would distribute their profits to *their* patrons.

Keyes then took another tack. If the present stockholders would not turn their stores into co-ops, he would organize other stores as co-ops. For that purpose, he and some of his friends incorporated the Right Relationship League, and in *Mixed Stocks* he ran a “Right Relationship League” department in which he advocated consumer cooperatives. Before

Keyes could carry his plans further, however, he died, and it was not long before the board of directors put an end not only to the RRL 69

Joe Gilbert, 1907

70 column, but also to the store-organizing. The work of the Right Relationship League went on for a time in charge of a dentist, named Hawk. Soon, however, one of Hawk's assistants, Ed Touseley, from Colorado, and two Minneapolis men, Van Horn and Vetter, incorporated a Right Relationship League of their own in Minneapolis, and they proceeded to organize co-op stores in the Northwest. The Chicago organization, meanwhile, dropped by the wayside.

Joe found the management of the Cooperating Merchants Company uphill work. Wholesalers and manufacturers began selling certain items to the trade at lower prices than to the company. These by-passing tactics began to have an effect. No new members came in, and the older ones began to transfer their business. At length, orders dropped off to such an extent that Joe felt it was not worth while to continue. He resigned in the fall of 1908.

Meanwhile, he had been doing some Socialist work on the side. Many a Sunday afternoon found him in Chicago's “soap box square,” near the Newberry library, preaching socialism and selling the party's literature. He acquired all the tricks of the soapbox trade. “Here's a gentleman who wants one,” would be his ice-breaking cry, and he would reach into his pocket, fish out a pamphlet, and go through the motions of selling it. Such tricks worked, Joe testified—worked so well that, as he was resting on a park bench after one such soapbox session, a man came along and asked if he were surely not an auctioneer by profession.

When he left the Cooperating Merchants Company, Joe did not feel, however, that he was financially able to resume subsidizing the Socialist movement by working for it full-time. He therefore cast about for another potboiling job. Julie, meanwhile, went to spend the winter

with friends in California. Since their a, home life for the Gilberts had taken on a character. They had long since given to own any unmovable possessions. Joe, going ahead, 71 would take a furnished apartment or house and, when things were running fairly smoothly, send for Julie to come along. In a matter of months or, at the most, a couple of years, the procedure would be repeated. And, even during the periods when home was the same address for both of them, Joe would be away a great deal of the time on speaking trips around the State. It was a pattern of living which continued for much of the rest of their life together. Yet, Julie never complained. She made friends easily, wherever circumstances and Joe happened to lead her. Julie was the sort of woman who, when she moved into a new home, would be well acquainted with all the neighbor-ladies in the block within the week.

“She was remarkable, in that so many other women were fond of her,” Joe commented once. “It's unusual for women to like other women.”

Julie had entered eagerly into the recreational activities of the Socialists, though she read little and was not regarded as one of the “heavy thinkers.” She was always ready to play the piano at meetings, and with her pleasant voice, her friendliness, and her other social graces, liked nothing better than to be the life of the party's gayer affairs. On occasions, when the opportunity presented itself, she gave dancing lessons and even inveigled Joe into trying a few new and fancy steps, but it was one accomplishment at which her husband never became proficient. The two of them did, however, while away many an evening hour playing cribbage.

Although both Joe and Julie liked children, they were never blessed with any. Joe liked to tell of the time he stayed with some neighbor's children and calmed their fears of noises in the dark by telling them stories about the “little children of the night” who, he assured his charges, were making the noises. Julie delighted in having groups of young people milling about their home. To such guests she was always Julie, never Mrs. Gilbert.

Now, with Joe's resignation from the Cooperating Merchants 72 Company, it was time for Julie to be left behind again while the husband she adored sallied forth on his next adventure. She had hardly left for her California visit when Joe, answering a blind ad in a Chicago newspaper, met A. E. Appleyard, owner of the Light and Power Company at Ashland, Wisconsin, and a leader of the Ashland Advancement Association. The upshot of the meeting was that Joe became executive secretary of the civic organization.

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9 Chamber-of-Commerce Interlude

The next three years (1908–11) comprised what might be called the “chamber-of-commerce interlude” in the Gilbert career. He was secretary of the Ashland Advancement Association through the winter of 1908–09; secretary of the Greater Leavenworth (Kansas) Club for six months in 1909; secretary of the Union Club, Stoughton, Wisconsin, until July, 1910; and secretary of the Trinidad (Colorado) Chamber of Commerce from then until September, 1911. Sandwiched between his work at Leavenworth and Stoughton was a job as assistant editor of *Town Development* , a magazine for chamber of commerce and municipal officials.

During all this time, the Socialist in Joe kept coming to the top. Though financial considerations forced him to give up, temporarily, his full-time devotion to the “cause,” he, nevertheless, used every chance to slip in some good Socialist propaganda wherever it would do the most good. His mind was still free. He still refused to “knuckle under” to an economic system he abhorred. Because he used discretion in carrying on these “extracurricular” activities, and because his ability and achievements as a civic promoter were well recognized by the businessmen, he was usually able to talk socialism (under various other brand 74 names) without jeopardizing his position. He was looked upon as having some queer notions, even radical ones, but all was forgiven if his efforts brought a new factory to the city.

Joe took a prominent part in civic affairs, established a reputation as a fluent, interesting speaker, and was often in demand to appear on forums and other public programs. At Ashland, he was invited to speak at the Congregational Church, one Sunday evening, on the church and its relation to labor, and especially on why laboring men did not attend church. Joe warned the pastor, a Rev. Mr. Evans, that it would not be a very “safe” topic for him to speak on, but the pastor assured him he was perfectly free to say whatever he wished. Apparently he did. Next day, the *Ashland News* reported that Mr. Gilbert said that what laboring men had secured in the way of practical advancement was through their own efforts, unaided by churches in any way.

Mr. Gilbert, the *News* continued, stated that he did not know where the churches had done any active and aggressive. work in an effort to prevent employment of child labor, nor did he know of any effort made by the church to secure shorter hours for labor or otherwise to obtain practical reforms for laboring men. He said that, though brotherhood and Christianity were preached in churches, laboring men did not attend, as a rule, because they well understood that their presence was not desired.

One of the congregation, Thomas Edwards, arose at the conclusion of Mr. Gilbert's address, the *News* reported, and asked if it was not better to talk about saving the souls of men rather than their bodies. Mr. Gilbert replied by asking Mr. Edwards if he placed his soul first, instead of his body. After thinking a minute, Mr. Edwards said that he did. Mr. Gilbert rather doubted such a statement because, he said, in the present age it was very unusual to hear of men sacrificing their bodies for their souls—even to the extent of refraining from luxuries. He said that if it was desired to feed a man's soul, it was first necessary to feed his body.

On another occasion, Joe was asked to give his opinion, in writing, of the essential qualities for a successful business career. The answer was the following bit of Gilbertian philosophy:

“Avoid the temptation of getting money, power, or fame at any price,” he wrote. “These are the snares whereby men fall. Face the facts, have the courage of your convictions, cultivate the truth, and all good things will follow.”

Joe liked to illustrate his contempt for the money-for-money's-sake philosophy with a story concerning the scientist, Thomas Huxley. Some one asked Huxley why, with his outstanding ability and talent, he did not make a fortune for himself. Huxley, reports Joe, thought a minute, then replied: “I'll tell you, my friend. I simply don't have time.”

By the spring of 1909, when he received a bid to Leavenworth, Kansas, as secretary of the Greater Leavenworth Club, Joe's work for Ashland had won him such glowing compliments as these from the mayor, Burt Williams:

“Mr. Gilbert has proven here,” Williams wrote to O. P. Lambert, at Leavenworth, “that he is well qualified to participate in many activities of life. He is an enthusiastic and capable public speaker, but at the same time a man who is modest throughout, and he has impressed us as a man of conscience and integrity.”

At Leavenworth, however, a different point of view prevailed. It was not long before Joe wished he had never heard of the place. “The businessmen there,” he said, “were among the worst reactionaries with whom I ever came in contact.” They proposed, for example, that their secretary talk wage earners in the city into joining the Greater Leavenworth Club at a membership fee of six dollars a year. Out of the income from these memberships the secretary's salary would be paid. Joe balked at carrying out such a scheme, and told Lambert, President of the Club, that he would not do it. He asserted that when he came

to Leavenworth it was with the impression that his duties would be the ordinary ones of a commercial club secretary and not those of a clerk.

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“The trouble with you, Gilbert,” Lambert said, “is that you are self-opinionated.”

“Well, by God, I have a right to be,” he retorted. “I'm the only man around here who has any opinions. What you want is an office boy. I'll give you an opportunity to get one. I resign.”

In a letter explaining his resignation, published in the *Leavenworth Times* , Joe said further:

“I know my own ability, and am not willing to serve as a clerk to any body of men in order to earn a salary. As a majority of the directors do not coincide with me in the estimate I place upon myself, or share my views in any particular, there was nothing left for me to do but resign, in order to be true to myself. I may be wrong. If so, time will tell.”

As a result of answering another blind ad, Joe went to Stoughton, Wisconsin, in April, 1910, and became secretary of the Union Club and editor of the Stoughton *Courier-Hub* . The Dane County town was a thriving little place, about 80 per cent Norwegian, with some fine stores equal to those of neighboring Madison. The largest industry was the big wagon works of the Moline Plow Company. Joe and the manager of the company conceived the plan of organizing a baseball club to represent and advertise Stoughton. The plow company donated equipment, a lumber company the grandstand, and another business the site. At length, preparations were made to have the first game on a Sunday afternoon with a team from Rockford, Illinois, as the opposition. But the next day, after announcement of the game, the mayor received a telegram of protest from the town's ministerial association, which was up in arms over the plan to profane the Sabbath with a ball game. The ministers demanded that the mayor cancel the game.

A lively controversy followed between the editor of the *Courier-Hub* and the clergymen. Every day the newspaper carried an editorial attacking the ministerial stand, and seeking sufficient public backing to give the mayor courage to defy the clerical 77 demands. The issue came to a climax when Joe accepted the friendly invitation of the young Universalist minister to speak in his church on the subject, “What Is True Religion?”

The church was packed, and Joe preached quite a sermon to the congregation. Liberally applying chapter and verse from the Bible, he fitted the theory of evolution to religion. He started by quoting from the instructions of the Old Testament Jehovah to the Israelites to go up against certain tribes and put men, women, and children to the sword.

“You don't believe in a God like that now,” Joe said. “How comes it, then, that there was a time when people did?”

He answered that in those times people were primitive, like the Indians who once inhabited Wisconsin, and that to them God was somewhat similar to a tribal deity to whom they would pray and make sacrifices, in order to obtain his good will. Going on through the Bible, he quoted from the prophets, who pointed out that God was to be propitiated, not with burnt offerings and sacrifices, but rather with a humble and a contrite spirit.

“Now remember,” Joe said, “these were the same people, and the same God, but they had a different understanding of Him, and a different conception of religion. In other words, during the many years which passed since they were a lot of wild Indians, they became a civilized agricultural people, like the people around Stoughton.”

He proceeded to the New Testament and Jesus Christ. High priests reviled Jesus because he did not keep the Sabbath, Joe pointed out, and he told them that “the Sabbath was made for man, not man for the Sabbath.” He quoted from Matthew's account of Christ's rebuke to the Pharisees:

“Woe unto you, scribes and Pharisees, hypocrites! For ye are like unto whited sepulchres which indeed appear beautiful outward, but are within full of dead men's bones and of all uncleanness. Even so ye also outwardly appear righteous unto men, but within ye are full of hypocrisy and iniquity.”

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The high priests of that time, Joe asserted, were “exactly like preachers here in Stoughton. We have them here in our midst. They are Pharisees. A baseball game on Sunday afternoon is perfectly innocent. It is much better for young men to be enjoying a healthy pastime than skulking around back of box cars. Again, I say, these modern 'high priests' of Stoughton are obeying the letter, but of the spirit of the Sabbath they take no heed.”

The sermon was reported at length in the columns of the *Courier-Hub* . It swung the tide of public opinion toward Sunday baseball in such decisive fashion that the mayor did ignore the ministerial demands, and the next Sunday afternoon the game between the Rockford, Illinois, team and the Stoughton group was on.

Most of the clergymen, however, never forgave Joe. Typical was the statement that one minister made when he met the Union Club secretary: “Sir, I regard you as a pernicious influence in this community. This town is not big enough to hold both of us.”

The town did not hold both of them much longer. After three months, Joe left Stoughton with Julie—who had joined him in Ashland. He became secretary of the Trinidad, Colorado, Chamber of Commerce at a salary reported, in an item in the *Wisconsin State Journal* , to be “twice his present wages of $1200.” This same story reported that Mr. Gilbert's “most successful work was the great Syttende Mai (Norwegian Independence Day) celebration on May 17, which was the most successful event of that nature ever attempted in Stoughton.”

Joe was welcomed to Trinidad and Las Animas County by the Trinidad *Chronicle News* as “a young man who is pleasant, genial, affable, with keen, penetrating, and observant eyes. Mr. Gilbert shakes hands as if he meant it and is a congenial gentleman who, smiling, distributes that sunshine of optimism which should be the doctrine of every citizen.”

Las Animas County, about as big as the State of Connecticut, 79 was one massive coal bed, the domain of the Rockefeller-controlled Colorado Fuel and Iron Company. Its miners, many of them Mexicans and Italians, were members of the Western Federation of Miners. One day, Joe looked up Robert Uhlich, a big, towheaded German who was secretary of the Trinidad Miners' Union, and offered to help him whenever possible. Uhlich regarded the offer with suspicion at first, but later his attitude changed and the two became intimate friends.

At Joe's suggestion, the Sunday evening meeting methods which had worked so well in Seattle, Spokane, and Salt Lake City were introduced. The meetings were advertised as a Social Science series, with prominent professional men of the county speaking on social problems. Joe would preside and summarize, as at a forum. Music was supplied, as before, by Mrs. Gilbert. Eventually, the forum evolved into a series of six lectures on different phases of socialism, with Gilbert as the speaker. He tactfully refrained, however, from urging his audience to become Socialists. In addition, he conducted a class in his home every week in social philosophy. There were ten in the class, to begin with, most of them businessmen, but gradually they awoke to the fact that their leader was politely putting them “on the spot,” and the class finally disbanded.

“You don't get me in there to be made a chopping block of,” was the comment of one disillusioned social philosopher.

Joe realized he was playing with fire, and he was able to keep from getting burned only because of the work he was doing for the city and county as Chamber of Commerce

secretary. In any event, his contact with the miners and his knowledge of the conditions under which they were working spurred him on to more “radical” activities.

The county was virtually run by officials of the Colorado Fuel and Iron Company, who were careful to see to it that their nominees for sheriff, assessor, and coroner were always elected. One day, three Italian committeemen from the union called 80 upon a mine official, named Colonel Owenby, to present some grievances. When they were through, they reported afterwards, the colonel jumped up, whipped out a revolver, cursed them, and shouted: “I've a mind to blow your brains out.” With the three committeemen still in the room, he phoned Sheriff Gresham and ordered him to run the men out of the county. They were run out.

Another time, the president of the Chamber of Commerce received a telegram from the State Federation of Labor asking whether the organization would be welcome to hold its State Convention in Trinidad the next year. Before answering, the president got in touch with the general manager of the Colorado Fuel and Iron Company. The answer was “No.” The convention was not held in Trinidad.

Under this highhanded Rockefeller-money dictatorship, the year 1910 saw more than two hundred miners killed in the coal mines of southern Colorado. Headlines such as “ **BODIES OF TWENTY-NINE MINE VICTIMS ARE BURIED AT NIGHT** ” were all too frequent. A company-selected coroner could be extremely valuable in finding “contributory negligence” on the part of the workers, and thus avoiding payment by the company to widows of the victims.

“To say that great loss of life, suffering, and misery are unavoidable in this (mining) industry is preposterous,” declared Uhlich in an appeal for the State to pass an employers' liability act. “The only reason for its existence is that greater importance is attached to property rights than to human life and welfare.”

Joe did what he could by obtaining and publicizing traveling exhibits from the United States Bureau of Mines which showed that safety methods could be installed if there were any desire on the part of the mine-owner to do so. Finally, the accidents became so numerous that the Denver papers began making comments and demanding action, so at length the mine company officials called a meeting of all straw-bosses from the mines 81 around Trinidad. It was held at the leading hotel, on a Saturday night. The main officials, including the general manager, of the Colorado Fuel and Iron Company, were present. The press was excluded. But Joe was there, by virtue of his Chamber of Commerce position. The table was loaded down with a choice cold lunch and all the beer and hard liquor that could be consumed. A physician of the company presided.

“I want you men to feel perfectly free to express yourselves,” he said. “We are just as anxious as the miners themselves to prevent accidents.”

This sounded good but, unfortunately, nothing came of the beneficent meeting. Joe judged, from what went on, that nothing was meant to come of it except for whatever effect it might have in tricking the men into believing that the company was at last considering their welfare, as well as its own profits. It was not so, of course, and working conditions continued to be of a medieval standard, culminating in the bloody strike of 1913–14 and the famous Ludlow massacre of April, 1914, when miners striking for higher wages and union recognition found the charred bodies of two of their women and eleven of their children after the tent colony, from which they had been evicted, had been put to flames by the State militia.

After a Jekyll-Hyde existence in Trinidad for fourteen months, Joe decided to get out before he was carried out. The Right Relationship League gave him his opportunity to leave gracefully. While in Chicago with the Cooperating Merchants Company, he had accepted an invitation to speak at a 'dinner given by the League in Minneapolis. The favorable impression he had then made brought him now a bid to set up a branch of the League in Seattle and organize consumer cooperative stores in the State of Washington.

He resigned from his precarious Trinidad position in September, 1911, and, after making a Labor Day speech, returned to the Far Northwest.

The Right Relationship League job, however, had a quick and 82 unfortunate ending. Instead of Gilbert's becoming, as he had thought, the Seattle branch manager, he found he was expected to share the management with a fellow named Alonzo Wardahl. The two did not get along well at all, and shortly Joe became an easy prey to old friends who were persuading him to get back, fulltime, into Socialist harness.

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10 True Love Turns Ashy

Soon after his arrival in Seattle in the fall of 1911, Joe plunged into a fight over the proposed building of improved port facilities for the fast-growing city. Business interests and two newspapers, the *Post-Intelligencer* and *Times* , were leading a move to turn everything over to a private corporation which, it appeared, would be doing the city a big favor by building the port. Moreover, it was reported that a slush fund of $10,000 had been raised, largely for the two newspapers.

This was the situation when Joe wrote an exposé of what he termed “the biggest contemplated steal in municipal history.” The story appeared in large type all over the front page of *The Voice* , semimonthly Socialist organ, of which 50,000 copies were distributed.

This was the hey-day of the Socialists in Seattle, and they wielded much influence on public opinion. The revelations in *The Voice* had a telling effect. The business interests changed their tune slightly, to say that they were for the port facilities, regardless of who built them. The Scripps-McRae *Star* , as well as a number of prominent liberals, came over to the Socialist viewpoint that the city itself should own its port. A great public demonstration was held, with Joe as chairman, and former Judge 84 Winsor as the main

speaker. The upshot of it all was that in a municipal election the Socialist stand was upheld two to one. An $8,000,000 bond issue was voted; the port was to be owned by the city.

Not long afterwards, Joe pitched into Socialist work full time and took the lead in organizing the Socialist Publishing Company. In January, 1912, this company began publishing *The Seattle Herald* (later *The Socialist Herald*), a weekly, with Joseph Gilbert as editor and manager. This work marked the beginning, for both him and Mrs. Gilbert, of a period of intense party activity. Joe spoke often, Julie directed recreation at meetings, and both were on the job day and night.

The Socialist Party that year was at the peak of its national influence. It had increased its total vote from about 100,000 to nearly 900,000. Debs more than doubled the 1912 presidential vote over that of 1908. Party members in federal, state, and municipal offices numbered 1039, distributed through more than half of the forty-eight States. There was one Socialist Congressman, Victor Berger. It began to appear that the Socialists might be on the point of becoming a major political party.

In the spring of 1912, Joe was nominated as the Socialist candidate for Congress from the first Washington district, despite the opposition of the extremist elements in the party. During all this time, and for years afterwards, a bitter factional fight was raging among Socialists, throughout the nation, between the “Impossibilists” (today's Communists) and the “Opportunists,” or moderate element, of which Joe was the leader in Seattle. The Impossibilists were also called Reds and Revolutionists; the Opportunists were also known as Yellows and Reformists. The Impossibilists maintained that a violent revolution was inevitable, that this final conflict should receive Socialist emphasis, and that the party must make the workingmen class-conscious, ready for class struggle. The Opportunists insisted that the workers could win their rights and privileges nonviolently and constitutionally,
85 that immediate demands should receive the most attention, and that all classes and groups must be awakened to the defects and abuses of the economic system.

Unfortunately for Joe's chances of winning the congressional election, the Socialist officials in Washington in 1912 were dominantly Revolutionists. Though they had to register Joe for the congressional race, they refused to support him and he was forced to play a lone hand. They went so far as to keep him off the platform when Debs and Berger came to Seattle on a national campaign tour. Despite this internal sabotage, however, the Gilbert candidacy was far from a dismal failure. He was able to execute one coup, in particular, which won him additional votes. The Commercial Club, one of the city's two booster organizations, gave a public banquet at which all the congressional candidates—Republican, Democratic, Bull Moose, and Socialist—were invited to speak. The Commercial Club had a large membership of the smaller Seattle businessmen; the Chamber of Commerce had a smaller membership of the big businessmen.

Presiding at the banquet was Colonel Otto Case, secretary of the Commercial Club. He seemed surprised that the Socialist candidate had showed up at all, but apparently deciding that, since he was there, he might as well be disposed of in short order, the chairman called upon Joe to speak first.

Now Joe had developed powerfully as a speaker. He had a sincere, earnest platform manner which won the attention and sympathy of his audience. Moreover, he had a knack of infecting his listeners with good humor, even while he was preparing them for blows on the controversial anvil. Joe's humor was not particularly light or subtle, but it was effective. Telegraphing his punches, he would start with “Here's one that will make you laugh” or “I'll tell you a funny incident.” The joke might turn out to be about the bald-headed man who asked the barber for a haircut, and the barber said, “You don't need a haircut, you need a shine.” If laughs were not immediately forthcoming 86 (though they usually were, whatever the quality of the joke), Joe might demand, “Wasn't that a funny one?” And it all made for a friendly audience.

Joe was no ranter. He spoke forcefully and with feeling, as one does who believes with all his heart in what his mind has taught him to think and say, He seemed to speak, not

to his audience as a whole, but to each individual, as man to man. In emotional moments he would shake a finger at some imaginary enemy of the people and scowl darkly, eyes blazing. He moved smoothly and with confidence about the platform, punctuating his flowing sentences with short, sharp gestures of right hand and forefinger. His left hand hung motionless, though occasionally it was pocketed.

Dealing with any issue, Joe instinctively dug into its background and shared that knowledge with his audience before proceeding to develop the problem, and finally to give his solution. Never did he speak over the heads of his audience. Before farmers, he used plenty of homely farm similes and illustrations. Before city laboring men, or before businessmen, his language was equally flexible. He had the faculty of organizing his information and bringing it down to earth. And always, no matter how gloomy a picture he might have painted in his speech, he ended characteristically on an inspirational, optimistic upbeat. A Joe Gilbert congregation invariably left the hall feeling fit to take on a pack of wildcats.

In the opinion of some contemporaries who heard both of them, Joe was a better all-round speaker than the famous Debs. The latter, it was said, made an appeal which was almost completely emotional, whereas Joe, though not averse to pulling a few heartstrings himself, usually also supplied his listeners with plenty of fundamental and relevant facts and logic.

It was with considerable alacrity, then, that Joe seized the chance to address Seattle's Commercial Club.

Here is the way Joe began, on that occasion:

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“No doubt you gentlemen are wondering to yourselves, 'What on earth is that fellow here for? He surely doesn't expect to get any votes here.' Well, I'm here for two reasons. First, as a citizen observing the amenities of polite society, I accepted your kind invitation. A

Socialist can be a gentleman the same as other people. Secondly, I could not resist the opportunity to tell you some things my opponents won't tell you, although, gentlemen, I have no illusions. I don't expect you to vote for me."

He proceeded to tell them his version of why there were two chambers of commerce in Seattle.

"You may think you are independent businessmen," he said, "but actually you are only agents. You do the will of the big fellows. You fathers here have sons whom you want to be successful. You can't leave them a million dollars. You can leave them only small change. About the best you can do is to train them to be fit to be leaders. But what can they do? They can be loyal vassals to the men in the other Chamber, and to their superiors in New York. Now what we Socialists are trying to do is to make a better and more human state of society where such conditions will not be true, but where equality of opportunity for everyone shall exist."

And so on, for about an hour. Finally he sat down, to the accompaniment of a genuine burst of applause. After his talk the political platitudes of the other candidates fell flat, and, winding up the program, Colonel Case went so far as to say that it must be admitted that the oratorical honors of the evening "have gone to our labor friend." At this point in the proceedings, "our labor friend" jumped up and sought permission to ask a question.

"My Democratic opponent," he said, "is quoted as having challenged his opponents to a debate. Is that not correct? I accept that challenge."

As the audience smiled, the Democrat rather ungracefully backed water.

"You fellows make a religion out of your politics," he protested, and turned down Joe's acceptance.

Despite his lack of united Socialist support, Joe was able to poll 16,987 votes in the election, the best showing ever made by a Socialist candidate in Washington State.

Although he had earned the antagonism of the Impossibilists, Joe did a good turn for one of them shortly after the election. He was H. M. Wells, president of the Central Labor Union, an able fellow but a radical who made common cause with the IWW, which by this time had the reputation of being a wild-eyed, anarcho-syndicalist outfit. One Sunday, the IWW held a big demonstration. Reporting the affair, the *Times* said Wells had called the United States flag a dirty rag. Wells promptly sued the newspaper for libel. One day he called Joe by phone, said he had heard that Joe was to be used by the *Times* as a witness against him, and asked what he intended to do. Joe assured him that he would not permit their differences of opinion to influence him to give testimony which would damage the prosecution of the suit. A short time later, the *Times* attorney asked Joe to serve as an expert witness. Joe said “No.” The attorney threatened to subpoena him. Joe warned him not to do it. The warning failed to take effect, Joe was subpoenaed, and he was called to the witness stand. After he was established as a leader of the Socialist Party and editor of their paper, he was asked, “Why were you not at this (IWW) meeting?”

The purpose of the question was to show that the Wells crowd was a bad lot consisting of anarchists, outlaws, and antigovernment elements with whom the Gilbert-led wing of the party did not associate. Joe asked the court if he could make a statement, in answering the question, so as to clarify the situation. The court said, “Yes.” Joe explained that the Socialist Party tries to reflect the interests of labor, but that labor is divided among itself.

“The American Federation of Labor is an old, established organization of craft unions,” he continued, “while the IWW is a 89 comparatively new industrial union federation which is fighting the AFL.”

Now, he pointed out, if Socialist Party leaders such as he had gone to the IWW meeting, their attendance would have been considered an affront to the AFL. It would have tended

to defeat the very purpose of the Socialist Party which is to reflect impartially the interests of all laboring men. At various points, the *Times* attorney tried to get the court to stop Joe, but in vain.

“There is not a particle of difference between my beliefs and those of the IWW,” Joe went on, daringly. “We are trying to achieve identically the same goals. The only difference between us is as to the tactics to use to reach those goals.”

Before he was through, Joe had established Wells as a presentable member of society, and the jury awarded the plaintiff a judgment for $500 against the *Times* .

The next year, *The Seattle Herald* , in common with other Socialist publications and leaders all over the country, tried to develop the evidence offered by the beginning of World War I that capitalism was in its death throes and socialism “just around the corner.” In an editorial in the *Herald* on August 28, 1914, Joe predicted: “The permanent victory of this war belongs to democracy, social democracy, if you please.” He based his prophecy on the assumption that the common people of the warring countries would become disgusted with a system which spawned such bloodshed and misery, and arise to overthrow their political and industrial rulers.

“The war lords of Europe deposed, the industrial barons humbled, the artificial barriers between the masses of Europe will have been broken down,” he wrote. “And this is what will happen: democracy will triumph. The United States of Europe will be a reality.”

“Victory for the people,” he continued,“ is not in a dim and distant millenium. It is *near* . Even though Wilhelm should return in triumph to Berlin, or Czar Nicholas be greeted victor by 90 his Russian hosts, their triumph will be but for a day. The people will rise and sweep them aside because they have no more place in the economy of the land.”

Joe may have hit the nail on the head as regards Russia, and perhaps his prediction of a United States of Europe was inaccurate only from the point of view of time. Joe contends

that, after all, he was wrong only in stating that victory for the people is “near.” Perhaps the word should have been “sure.” And if not World War II, perhaps an atomic World War III will finally convince the people who survive that the time is ripe for them to rise and assert themselves for peace, in the name of justice and civilization. The obvious alternative, Joe insists, is the destruction of justice and civilization.

Joe could not forever keep up the punishing day-and-night pace he had set for himself. He was under a terrific strain. Besides running the publishing association on limited capital and editing the *Herald* , he had to spend much of his time fighting Red opponents in the party. On top of it all, Julie fell seriously ill, and never afterwards, except for short periods, did she recover her former good health At the annual meeting of the publishing company in the fall of 1915, Joe announced his resignation, declared he was washing his hands of the whole Socialist business. The Red faction greeted his announcement with cheers. At last, they would be able to have a free hand in running the party, and the party's paper, too. In less than a year, however, the whole publishing company went under the sheriff's hammer.

Temporarily disgruntled by the failure of the Socialists to achieve a semblance of unity, Joe turned to the first thing that presented itself as an occupation. It happened to be selling shoes “on the road.” He traveled' by train through Washington, Oregon, Idaho, and Montana with five trunks of sample shoes for every member of the family. Nor, with his persuasive powers, did he have any trouble making a living as a traveling shoe salesman. He kept at it until the winter of 1916.

Before he started on the fall shoe-selling rounds, that year, he received an invitation from the Farmers Nonpartisan League of North Dakota to edit a weekly paper at Fargo. He had, however, already made commitments with several shoe companies, and decided that he would have to go through with them. He told the League representatives he would be glad to come later. But things were moving rapidly right then for the League. In the

fall elections, it was in the process of sweeping North Dakota for its first major political victory, and an editor was needed right away. The job went to David C. Coates, a Spokane Liberal, and former Lieutenant-Governor of Colorado. As soon as Joe came back from his fall trip, he made arrangements to go to North Dakota right after Christmas. He met A. C. Townley, head of the League, in his headquarters at Fargo, on New Year's Day of 1917.

“I expected to see an older man,” was Townley's greeting.

“I'm a lot older than you are,” replied Joe.

“Not much,” persisted Townley.

“How old are you?” asked Joe, point blank.

“Thirty-six,” replied Townley, and smiled triumphantly.

“Well, I'm fifty-two,” said Joe—and it was his turn to smile.

That was the odd beginning of probably the most prominent—certainly the most public—part of the story of Joe Gilbert. He at once began his work for the Nonpartisan League, the work that was to take him to jail, an imprisoned man with a free mind.

11 The Nonpartisan League Meets the War

The nonpartisan league , whose objectives Joe now embraced, was, for a time at least, in the nature of an idea whose time has come, and it swept everything before it. The conditions which led to its birth had been present in North Dakota for many years. Farmers of the State depended for their living upon wheat. But they had no control whatever over the marketing of their crops. They were at the mercy of terminal elevators in Minnesota and Wisconsin, which arbitrarily established their own grading methods and their own prices. Two factors largely determined the price that the farmer got for any particular lot

of wheat—(1) dockage, the amount subtracted for the dirt, chaff, and other foreign matter, and (2) grading. But the farmer had no control over these factors. Dr. E. F. Ladd, of the North Dakota Agricultural College, known as one of the leading authorities of the world on wheat, demonstrated that, in the course of a year, the farmers of the state were robbed of $55,000,000 by unfair dockage and grading practices.

In 1908, the farmers organized the North Dakota Union of the American Society of Equity to market their products cooperatively; 93 to build their own cooperatively-owned elevators, flour mills, packing plants, and creameries; and to establish their own telephone companies. But progress was slow.

“You cannot succeed with your cooperative enterprises, so long as the lawmaking power is in the hands of your enemies, the big speculators,” George S. Loftus, Equity leader, told the farmers. “You must have laws to protect your cooperative enterprises, and you must put your own men into the legislature to enact these laws.”

Under the able leadership of Loftus, and equipped with facts and figures by Dr. Ladd to prove their points, the organized farmers did succeed in getting the legislature to amend the Constitution to permit the State to build publicly-owned elevators. But legislature after legislature refused to provide funds to build them. In 1915, four hundred farmer-members of the Equity Exchange were attending their annual convention in Bismarck when the legislature was in session. Their delegates went before the lawmakers in an effort to get action, but in vain. Worse still, in addition to refusing to appropriate funds for a State-owned terminal elevator, the legislature repealed a law calling for a tax to finance an elevator. Heaping insult upon injury, one of the senators advised the farmers to “go home and slop the hogs” and let the legislature make the laws.

Two who heard this historic insult were Arthur C. Townley and A. E. Bowen, about whom it will pay to note a few facts.

Townley was born at Browns Valley, in western Minnesota, on December 30, 1880. After a high-school education, obtained at Alexandria, Minnesota, he homesteaded in North Dakota. In 1911, he went in for wheat farming on a big scale near Cheyenne Wells, Colorado, and failed, it is said, with a loss of $70,000. Next he tried his hand at flax near Beach, North Dakota, and for a time prospered. He made enough, at any rate, so that he decided to plunge. Having put 8000 acres into flax, he stretched his credit thin to buy tractors and other kinds of machinery and 94 implements. He gambled everything he had on one crop which, marketed, stood to net him $100,000. Unfortunately—or fortunately-an early frost and a mid-October snowstorm ruined ninety per cent of the crop and bankrupted Townley to the tune of an amount estimated all the way from $250,000 to $500,000. Shortly afterwards, Townley met A. E. Bowen.

Bowen had been a schoolteacher in the Black Hills. In his spare-time reading he came across socialism, which captured his imagination, and he immediately and enthusiastically took it to his heart. He went all over the State lecturing on socialism, and ran for the legislature as a Socialist. When he met Townley, the former flax king was fiat broke and disgusted with things as they were, a “pushover” for conversion to a new kind of economic philosophy. He became a Socialist organizer.

But “Socialism,” to many people, and especially farmers, was a bad word It frightened them, and it failed to produce sufficient political unity to get results. On that day in Bismarck when the legislature thumbed its nose at the farmers, Bowen had an idea. He talked it over with Townley, and that evening he tried it out at the farmers' Equity meeting.

“All the farmers in the State,” he told them, “want the same things. They are robbed by an enemy common to all of them. It spells defeat when, on election day, they divide up into different parties and go in different directions. If they were to unite in one movement, say a nonpartisan movement, forgetting all distinctions of race, of religion, and of politics, they could capture the State.”

Townley heard the speech, noted the excellent reception it got. Telling about the incident later, the ex-teacher quoted Townley as saying:

“Bowen, that's a damned good idea of yours. It's a winner. I can take that idea, old boy, and that name ‘nonpartisan’ and organize the farmers so that they can sweep the State. But on one condition—I am to be the boss.”

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Bowen said he hesitated, and that Townley continued:

“Bowen, I can make a success of this thing. The farmers are ready for it. They have the Grange, the Farmers' Union, the Equity, and the farmers' clubs. They are disgusted with the old political parties. You are a good speaker but a poor organizer. Do you agree that I am to be boss? Now is our chance.”

They shook hands on this kind of arrangement. And that is how the Nonpartisan League began, with Townley as its ruler, in 1915.

For his running of the League Townley has been denounced, on the one hand, as an autocrat and a czar whose main purpose was to achieve power for himself. Whatever help he gave to the farmers, it was charged, was incidental. On the other hand, he has been hailed as an American Moses come to lead the farmers out of their wilderness of hard times. He was almost worshipped by many of his followers.

Townley was a homespun platform speaker who won his farmer audiences over by the sheer force of his personality and his ability to speak their language. He was lean and rangy, with gray, penetrating eyes and a long, sharp nose. Dark hair rolled back from his forehead. When he was stirring an audience to action, he would bend his knees and swoop down like a hawk. On one thing, friend and foe alike were agreed: He was a whirlwind of an organizing genius.

His first convert to the League was F. B. Wood, a wealthy farmer of Deering, North Dakota, who had been a founder of the Equity Cooperative Exchange. He was well-to-do enough and “sold” enough to supply credit for the purchase of a number of Ford automobiles for the use of League organizers. In these Fords the organizers covered every section of the State, and they found that Townley was right—the League was just what the farmers had ordered. When Townley and his lieutenants told them that, by joining the League and paying their dues, they could get complete control of the lawmaking and executive machinery 96 of the State, they believed it. And the members rolled in by the scores, the hundreds, and the thousands, first at $2.50 a year dues, next at $6, then $9, and finally, by the end of 1916, at $16 for two years. By the fall of that year, the League had cashed in on its use of modern sales methods to the tune of 42,000 members, and it had a political war chest of some $250,000.

In the fall elections of 1916 in North Dakota, Townley was able to fulfill Nonpartisan League goals almost to the letter. The League people elected every one of their candidates except the state treasurer. They elected their man for governor, Lynn J. Frazier; their man for attorney-general, Bill Langer; and a majority of the house of representatives. Had it not been for the senators Whose terms had not expired, they would have won control of the senate.

But it was this lack of control of the senate which prevented the League from putting over its most important measure, a bill for a new State Constitution framed to give the farmers all the things they asked for. The measure was passed by the house, but killed by the senate. Other reform measures, however, were passed. North Dakota farmers were highly pleased, and rather proud of their political success.

Soon calls began coming in from surrounding States for the League to “do it again” there. In January of 1917, the *National* Nonpartisan League opened offices in St. Paul. The League was on the march. Within a year, it had hundreds of organizers and speakers on the job in thirteen States; it had started newspapers in each of these States, in addition

to a national weekly; its membership was rolling on toward 200,000; its candidates were winning legislative seats in State after State; it had elected its first Congressman; and it had become a political force to be reckoned with nationally.

When invading a State, Joe explained, the League went about its business like this: An executive committee of selected, informed farmers would be created under League supervision, and 97 the committee would in turn organize the Nonpartisan League of that State. The *national* executive committee (not the state unit) would next appoint a state manager, who would open an office and start League organizers and speakers on their rounds. The organizer either would call on individual farmers, usually taking a League farmer-member along to introduce him and back him up, or he would sign members up en masse after a meeting addressed by a League speaker. Dues were always payable in advance. If the farmer did not have the cash at the moment, he could write a post-dated check. All money went to the national office, and all accounts were kept there.

The League used the direct primary as a device to get its men elected. It would seek to put over its own slate of candidates, whether they were Republican or Democratic, or both. As long as the candidates went down the line for the League program, it did not matter. In North Dakota, for example, for many years the League was able to go into the Republican party primary and name whomever it wished. “Republican” became merely another name for Nonpartisan Leaguer. If, however, the League was unable to capture the primary for its candidates, it would enter a slate of independents for the election. Despite its name, the League was therefore, in effect, a political party. It simply dressed up in the clothing of the Republican or the Democratic party, either or both, as the circumstances dictated.

The main, over-all purpose of the League, as stated in its Articles of Association, and as Joe frequently reminded all who would listen, was to put the government back into the hands of the people. It was a slogan which was used with telling effect. Another major talking point was the great victory in North Dakota. And still another was the League platform calling for State-owned terminal elevators, flour mills and packing plants, State

inspection of grain and grain dockage, exemption of farm improvements from taxation, State hail insurance on the acreage tax basis, and operation of rural credit banks at cost. It was, in 98 truth, a farmer's farm program. How could any farmer refuse to support it?

The national machinery of the League was closely controlled by an executive committee of three, consisting of Townley, as president, F. B. Wood as vice-president, and William Lemke, Fargo attorney and former Republican State committee chairman (later elected to Congress). This committee was self-appointed and self-perpetuating. It controlled all funds, all organization work, and all policy-making; and it made all rules and regulations for the affiliation of other political and industrial groups. It was, obviously, a highly centralized machine, controlled from the top down. The League had to be so organized, Townley and his supporters argued, in order to protect it from political enemies, and in order that it might fight more efficiently to win power for its members. At any rate, so long as the League was delivering the goods, the members who contributed the funds which made its existence possible were content to let the organization be operated thus undemocratically from the top down. After all, in the long run, it was the members who were the bosses. For they could stop paying their dues as soon as they felt the League was failing them. And the minute they did, down would come Townley, League, and all.

In 1917, the League was making a supreme effort to get ready to repeat in Minnesota its North Dakota election feat. Two hundred and sixty Fords were purchased, and 150 organizers and speakers were added to the force already at work in the State. In Minnesota, early that year, Joe Gilbert went to work as a speaker for the League. He addressed meetings nearly every day, throughout the northern part of the State, usually accompanied by an organizer, who would enroll members after the speaking was over.

“You farmers should quit looking up to other people,” Joe would tell them. “The trouble has been that when election time comes around, they pat you on the back and you say, ‘This 99 banker is a brainy man. Let us elect him to the legislature to make the rules by which

we shall be governed.' And what does he do? Why, he secures the passage of a law to charge you 10 per cent interest.

"Suppose a lot of animals were living in the same neighborhood, a flock of sheep and a band of wolves. Suppose the sheep said, 'We are nothing but poor helpless sheep; we'll elect these big brainy wolves to make our laws.' Would the wolves not make laws to enable them to eat the sheep?"

Joe would dramatize his talk by waving aloft a package of breakfast food derived from wheat—net weight 4 ounces, cost 15 cents—to show the difference between the price paid by the consumer and the price received by the farmer.

"At this rate," he would say, "wheat would bring $36 a bushel !"

And he would conclude by urging all farmers to join the Nonpartisan League, and calling their attention to the organizer who was present to help them enroll. Usually a majority of those present would eagerly hit the League trail.

That was a tough winter, early in 1917, and Joe had his troubles with the weather. One cold morning, he was trying to get from Detroit Lakes to a small country town for a meeting that afternoon. It was forty below zero. Trains to the place were tied up. He tried to rent a sleigh, but two livery stables refused to send their horses out in such weather. Then he found that he could take a train to Frazee, a point within eight miles of the meeting place. He took that train, first phoning the livery stable at Frazee to have a sleigh and team ready upon his arrival at noon. It took the team two hours to make the eight-mile trip, but he was rewarded for his trouble by a packed hall.

Not always, however, were his audiences large. One time, at Hancock, when it was thawing and the roads were becoming unusable, he went into a hall where he was due to speak and found about a dozen farmers gathered around the stove. Joe, 100 who was

unknown to them, joined the group. Finally, as it became time for the meeting to begin, one of the men said:

“Well, I wonder where that ‘Nonpartisian’ League feller is.” Then, turning to Joe, he said, “Maybe you're the guy.” Joe thereupon introduced himself and, chatting informally with the group, succeeded in collecting the $16 dues (for two years) from every farmer present.

On another occasion, Joe got a revealing glimpse into farmer psychology. He had stepped off the train at a community which consisted only of a depot, a store, and a few houses.

“This doesn't look like much of a place,” Joe commented to the farmer who had met him.

“Wal,” was the reply, “I reckon there's just as much land around here as anywhere else.”

It wasn't long before Townley realized that his new speaker was too talented a man to be spending all his time talking. Accordingly, Joe was called in to the office in March of 1917 and was made the League's national organization manager, responsible directly to Townley, with power subordinate only to that of the “Big Three”—Townley, Lemke, and Wood, the national executive committee.

His first assignment was to convince the officials of the American Society of Equity in Wisconsin that it would be better to become a part of the Nonpartisan League than to form a separate State organization of their own. F. B. Wood had been sent to do the job, but had failed. The Equity officials, however, agreed to reconsider, provided Townley himself came to meet with them. At the last minute, Townley decided he had a previous engagement and passed the buck to his new organization manager.

The meeting was in Wausau. Accompanied by the League organizer in that area, Beecher Moore, Joe went to the Equity headquarters, where were gathered the president, Judge Mahoney, and a dozen other officers and directors. They were disappointed that Townley had not come. Joe first had to overcome 101 that handicap by persuading them he had

power to act as the League president's representative. They argued back and forth all afternoon, Joe against the dozen of them. For a while they stopped for supper, then resumed the argument. Finally, just before midnight, every one of the Equity men had signed the document that Gilbert had brought with him from St. Paul. They gave up the idea of starting a separate organization and agreed to become part of the League in Wisconsin. It was a great triumph for Joe. Townley was highly pleased.

Soon after the United States declared war on Germany in April, 1917, a congressional vacancy occurred in the first district of North Dakota. Joe convinced Lemke that it would be a fatal mistake for the League to miss the chance to run a candidate for Congress. “The League,” he pointed out, “is a national organization now. Not to put up a candidate for a national office from the State of its greatest strength would be construed as weakness.”

When he had some important matter of policy which he wished to talk over with Townley, Lemke would usually bring it up while the two were on the train between the St. Paul and Fargo offices of the League. Convinced by Joe of the wisdom of running a candidate for Congress, Lemke in turn was able to use one of these St. Paul-Fargo train trips to convince Townley. Next, it was necessary to devise a national League platform for the candidate to stand on Joe took the position, that since the war was the one thing uppermost in the minds of the people at that time, the League would have to formulate a political war program and conduct its congressional campaign on that basis. Lemke agreed. “But,” he said, “the best way to convince Townley of something is to show it to him in writing.”

“You write up a war platform,” he told Joe, “and I'll show it to him on the way to Fargo next time.”

Joe did this, and Townley again was convinced. He told Lemke to get several of the League executives together, when 102 they returned to St. Paul, and they would go over the Gilbert-written war platform to determine its final form. At this meeting, besides

the “Big Three” and Joe, were Herbert E. Gaston, a League editor, Arthur LeSueur, a League attorney, Job W. Brinton, and a few others. The meeting accepted what became known as the war resolutions, about as Joe had written them, except for minor changes in phraseology and the addition of a paragraph against secret diplomacy, as suggested by LeSueur. The resolutions were officially adopted by the League on June 7, 1917, and John M. Baer, a young cartoonist who was chosen as the League's congressional candidate, used them as his chief campaign ammunition. At every North Dakota meeting that he held, these League war resolutions were read and formally adopted. With them, Baer swept the State and, on July 10, 1917, became the Nonpartisan League's first national office holder. The League had obtained a toehold in Washington.

A bit fearful of this sudden projection into the national limelight, especially in view of the youth and political inexperience of Congressman Baer, Townley decided it would be necessary for his “brain trust” to put appropriate words into Baer's mouth for the League man's congressional début. It was reasoned that whatever Baer might say in Congress would naturally be construed as being officially endorsed by the League. It was up to the League, then, to see that Baer said only what he was supposed to say. So Townley called a dinner meeting of Nonpartisan “brains” to determine congressional policy. Among those present was former Congressman Lindbergh, as well as Gaston, Briggs, a St. Paul newspaper man, John Thompson, Baer, Brinton, and Gilbert. The meeting appointed a committee of three—Gaston, Briggs, and Gilbert—to write a statement of principles which Baer was to deliver in Congress and offer graciously to the press. It was decided that each member of the committee would write his own version, then compare notes. As it turned out, Joe got his version written first, and the other members of the committee 103 liked it so well they accepted it without changing a comma.

The war resolutions, the Baer statement of principles, and an explanation of the origin, purpose, and method of operation of the League were printed in a pamphlet which was distributed widely wherever the League became active. Later, the contents of the pamphlet

were to become involved in legal battles which meant life or death to the League, and jail or freedom to Joe Gilbert.

The war resolutions proved to be especially important in connection with later events. They are still important as comments on World War II (as well as on World War I) and its aftermath. In introductory paragraphs of the resolutions, the League expressed “its loyalty and willingness...to safeguard, defend and preserve our country.” But, the resolutions continued, “The only justification for war is to establish and maintain human rights and interests the world over,” and for that reason the League expressed its opposition to a war for annexation or “for demanding indemnity as terms of peace.”

“Bitter experience has proved that any exactions, whether of land or revenue, serve only to deepen resentments and hatreds which inevitably incite to future wars.”

It was extremely unpopular—almost seditious—in those days to call for an “Office of Price Administration” and for prevention of inflation. The resolutions, however, did so, in these words:

“We demand that the guarantees of human conservation be recognized, and the standard of living be maintained. To this end we demand that gambling in the necessaries of life be made a felony, and that the Federal Government control the food supply of the nation, and establish prices for producer and consumer.”

The resolutions called attention to soaring corporation wartime profits and, in Joe's words, cried out defiantly:

“To conscript men and exempt the bloodstained wealth coined from the sufferings of humanity is repugnant to the spirit of America and contrary to the ideals of democracy.”

Further, the resolutions reasserted the right of men to say what they think:

“We declare freedom of speech to be the bulwark of human liberty.... A declaration of war does not repeal the Constitution of the United States. The unwarranted interference of military and other authorities with the right of individuals must cease.”

And the resolutions closed with the following ringing declaration, which might well be repeated again and again as, with World War II ended, the nations once more spar for peace:

“The present war....is largely a convulsive effort on the part of the adroit rulers of warring nations for control of a constantly diminishing market. Rival groups of monopolists are playing a deadly game for commercial supremacy. Sound international standards must be established on the basis of a true democracy. Our economic organizations must be completely purged of privilege. Private monopolies must be supplanted by public administration of credit, finance, and natural resources. The rule of jobbers and speculators must be overthrown if we are to produce a real democracy, otherwise, this war will have been fought in vain.”

And in the wake of World War II, those rival groups of monopolists, especially the oil trusters, are *still* playing their deadly game, in Washington, in London, in Moscow, in Iran, and, brazenly, in the United Nations councils. History apparently is repeating itself with a vengeance while mankind looks on, helpless and almost hopeless.

“Man has developed material powers,” Joe observed sagely, “which his moral sense is not capable of using.”

The Gilbert-authored statement of principles which Congressman Baer proclaimed to the House of Representatives echoed the war resolutions, and called again for conscription of wealth as well as of men:

“It is unjust to permit lobbyists to oppose the conscription of wealth without let or hindrance,” declared the first Nonpartisan 105 Congressman, “while making it a crime for a mother to oppose the conscription of the life of her son.”

The Baer statement also launched an attack on British plans to hold on to German colonies in Africa:

“While we are fighting to destroy German imperialism,” said he, “shall we fight to support British imperialism?”

The statement defended the patriotism of the League—and at that time it needed defending—by declaring:

“Patriotism cannot flourish where want and ignorance exist. Therefore, no greater service can a man render than to proclaim the truth. A people in possession of a true knowledge of affairs are more capable of successfully waging a righteous war, and none other should be waged. Those who would profit by the misery and sufferings of humanity are traitors, and not patriots.”

As he swung into his work as organization manager, Joe took the lead in obtaining establishment of a League policy toward organized labor. He pointed out that, because of the larger urban population in Minnesota, methods different from those used in North Dakota were called for, and that it would be necessary to have organized labor as an ally.

“Well, you know more about that end of it than I do,” Townley told him. “Go ahead and I'll back you up.”

Joe was accordingly able to be seated as a fraternal delegate from the Nonpartisan League at the 1917 convention of the Minnesota State Federation of Labor. Later, he arranged a meeting of representatives of the railway brotherhoods, officers of the State Federation of Labor, and other labor leaders. At this session, Joe went over the entire

Nonpartisan League program and, as a result, informal working relations were established between the farm and labor groups. The League named labor men in 1918 for railroad and labor commissioners, and gave active support to campaigns by labor candidates for the State legislature in the city districts.

After C. A. Lindbergh lost in his race for the Republican nomination 106 for governor, the League and labor groups got together on an independent, D. H. Evans. They pushed his candidacy by means of a joint committee of the League and what was known as the labor political conference, organized as an adjunct to the State Federation of Labor. Although the farmer-labor alliance did not oust the Republicans, it did displace the Democrats from second place, and it was able to elect fifteen senators and thirty-six representatives to the legislature.

In 1919, then, delegates to the State Federation of Labor convention, meeting as a political conference, formed the Working People's Nonpartisan Political League, which was to work with the farmers' Nonpartisan League in agreeing upon a platform and a slate of candidates.

From this spadework, much of which was done at the instigation of Joe Gilbert, came, in 1922, the Farmer-Labor Party, which was to contribute so much to the development of political and economic cooperation between rural and urban people until, many years later, it fell among pernicious communistic influences.

One day in August, 1917, N. S. Randall, a League speaker, and a personal friend of Joe, suggested that Gilbert and his wife accompany him and his wife and their small daughter to Plainview, Minnesota. Randall was to speak at a picnic there, on a Sunday afternoon. The weather was pleasant, it seemed like a nice trip, and the Gilberts accepted. They started out on a Saturday afternoon, driving first to Kenyon, in Goodhue County, where Louis W. Martin, a League organizer, had arranged a meeting for that evening. They were to stay overnight in Kenyon, and proceed Sunday morning to Plainview.

The chairman of the meeting was Andrew Finstuen, publisher of the *Kenyon Leader* , and he introduced the speakers from a portable bandstand (or bandwagon) on the main street. Martin spoke first, then Randall, then Joe. It was a typical small-town, Saturday-night crowd. Many were standing or moving about. There was some talking, and some heckling. Martin spoke briefly, 107 to the effect that the other speakers would tell about the aims and purposes of the Nonpartisan League. Randall did so, for about half an hour.

Gilbert spoke about fifteen or twenty minutes, chiefly on the stand of the League concerning war. He called attention to the fact that the League had just succeeded in electing John M. Baer to Congress, from North Dakota, on a platform setting forth its position on the war. Explaining the League's position further, he referred to the statement in the war resolutions that “we stand for our country, right or wrong, as opposed to foreign governments with whom we are at war.” He asserted that, for a democratic people fighting to make the world safe for democracy, there was never a more propitious time to help determine the conditions under which they were to live. He called for public ownership of such industries as flour mills and packing plants, steel mills, munitions factories, coal mines, and transportation facilities.

“If it is right and proper to conscript men to fight,” he said, “it is equally necessary to conscript the material means which enable them to continue to fight.”

He told the farmers that unorganized they were helpless, but that by organizing they could exert power, which otherwise would be beyond them, to create greater benefits for themselves and render greater service to their country. He expressed the opinion that President Wilson in many instances was forced to do errands for the rich, and to run the government in their interest, instead of in the people's interest.

Finstuen reported next day, in the *Kenyon Leader* , that Joe mentioned something about the government shipping a lot of coffins and hoping that “they will not be used for our boys.” At any rate, as the speech continued, the heckling increased. There were yells of

“Pro-German!” “You're talking against the government,” “What's the matter with Wilson?” and “Let's roll the bandwagon into the river.” Accustomed to heckling, Joe parried the thrusts and sat down. Randall wound up the meeting with a 108 short statement, and then the Randalls and the Gilberts went to their hotel and thought little more about the affair. They went on to Plainview the next day, Randall spoke at the picnic, and they returned to St. Paul.

Eight months afterwards, however, the results of the Kenyon meeting were brought violently to their attention.

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12 “You're Under Arrest”

In september , 1917, the Nonpartisan League held a dramatic, three-day “high cost of living conference” in the huge municipal auditorium in St. Paul. The conference was meant to serve a threefold purpose. First, it was to call attention to the addition of “National” to the League masthead and give a mighty fillip to its regional and national publicity. Secondly, it was to make a strong bid for a political alliance with organized labor. Thirdly, the conference was to put the League on record as a loyal organization which Would back the war against Germany to the limit. The League succeeded in its first two aims, but the Twin Cities newspapers and the national news services outdid themselves in seeing to it that the third aim went unfulfilled.

Morning, afternoon, and evening sessions were scheduled for each of three days—September 18, 19, and 20. Nearly a hundred speakers were lined up by a program committee which included, besides League officials, Benjamin C. Marsh, then executive secretary of the American Committee on the High Cost of Living, in New York, later secretary of the People's Lobby, in Washington. The speakers included prominent national farm and labor leaders, United States senators and congressmen, public ownership advocates, and woman's suffrage leaders, On the platform, 110 during the

three days, were Senators Borah of Idaho, Gronna of North Dakota, LaFollette (the elder) of Wisconsin, and Wheeler of Montana; Leo P. Lischer, secretary of the Typographical Union of Illinois; J.P. Coughlin, president of the Central Labor Union of Brooklyn; D. O. Mahoney, president of the American Society of Equity; J. M. Anderson, president of the Equity Cooperative Exchange; Carl D. Thompson, secretary, and A.M. Todd, president, of the National Public Ownership League; Congresswoman Jeanette Rankin, of Montana; and Mrs. Jacob Panken, of New York.

Delegates were present from almost every State in the Union. Farmers' organizations of sixteen States were represented, and labor organizations of eleven States. As many as 4000 farmer-members of the League, augmented by from 1500 to 2000 Laborites, formed the nucleus of every meeting.

The conference, officially the “Producers and Consumers Convention,” was billed as the first ever held in this country to bring together, on common ground, organized labor and organized farmers. Joe, who called the convention to order, presided at many of the sessions, and tossed out an extemporaneous speech now and then to fill up chinks in the program. He explained that the conference was called to assist, not to harass, the government. He announced that the purpose was to urge: (1) conscription of wealth, (2) government price control of virtually all articles affected by the war, (3) elimination of profiteering, and (4) a union of farmers and city workers to put over a program to solve the problem of the high cost of living in wartime. Time after time, during the conference, the point was made that farmers and city workers stand ready to sacrifice for the common cause, but that they demand that organized wealth make equal sacrifices.

Exhibits showing in graphic form the profits, prices, and cost of production of farm machinery, copper, steel, boots, shoes, coal, il were a conference sideshow. They were prepared by Ray director of the Brookmire Economic Service, who was also 111 one of the speakers. Other exhibits showed the relative prices and profits on wheat, together with cost of production.

“These exhibits,” Marsh told the newspapers, “emphasize the need of eliminating profiteers from our commercial system.”

Although the conference, with its imposing array of speakers, could not help getting front-page space, and lots of it, in the Twin Cities papers, the preconvention publicity was far from favorable. Townley had attempted to spike disloyalty charges by giving to the press a telegram that he had sent to Secretary of the Treasury William G. McAdoo. He invited McAdoo to speak at one of the League meetings, in behalf of the forthcoming Liberty Bond drive, and pledged that the League would “gladly and willingly accede to his request in getting subscribers to the (bond) issue in rural communities.” He also announced that the League had invited the Department of Justice to investigate its books, and promised: “The first man to urge sedition will be thrown out of the convention.”

The *St. Paul Pioneer Press* could not restrain itself, however, from pointing out that “the League was accused of hampering the first loan,” and one preliminary front-page story, announcing that Senators LaFollette and Gronna would be on the program, was headed as follows: “PACIFISTS WILL TALK TO FARMERS.” LaFollette and Gronna, the paper said, are “both obstructionists in the national war program and leaders of pacifist Propaganda,” and LaFollette, it continued, “has been criticized probably more than any man in Congress for his opposition to war.”

The *Pioneer Press* took pains to say, in its lead, that “while officials of the League declared every address on the program would be patriotic, there is an undercurrent of question, and it is said that representatives of the Department of Justice will attend all meetings.” It also was careful to note, wringing its hands, that “socialistic doctrines,” such as public ownership of natural monopolies, railroads, and other public service 112 corporations, would be “frankly advocated” by the various speakers.

The conference “played” to several thousand people in its opening sessions, with the League-elected Governor of North Dakota, Lynn J. Frazier, and Townley as the main speakers.

“Direct disloyal assertions were avoided carefully,” the *St. Paul Dispatch* observed, but noted the presence of “Socialists who believed the occasion was pregnant with possibilities for them.” And, in a column adjoining the main story (on page 1), it told of the arrest of two Socialist leaders, J. O. Bentall and Allan S. Broms, for disloyalty. Bentall, the *Dispatch* took care to say, had been expected to be present at the Nonpartisan League meeting. Boxed in the main story was an item, with a New York date line, asserting in boldface that Benjamin C. Marsh, who had helped prepare the conference program, was “a speaker at the Emergency Peace Federation meeting, March 10 last, at which he said, ‘If we must arm, let it be to march on Washington and restore the government to the people.’”

As the conference warmed up, so did the newspapers. Reporting a Liberty Bond talk by Judge Ell Torrance, a G.A.R. leader, the *Minneapolis Journal* declared in its lead:

The audience exhibited apathetic interest in a magnificent patriotic address by Judge Ell Torrance, of Minneapolis. Where, five minutes before, the audience had yelled hoarsely and stamped their feet in enthusiasm when C. A. Lindbergh said America did not offer equal opportunity to all, they applauded stiffly and spasmodically at the appeal of Judge Torrance. Judge Torrance's words, “My God, men, the safety of our nation is more important than mere questions of sale and barter,” brought a cold response.

One paper indicated editorially that it had good authority for believing there might be bloodshed if LaFollette, Wisconsin's “pacifist” senator, spoke as scheduled on the third, and final, night of the conference. As that session began, Joe held that paper up before the crowd, a mighty throng of more than 10,000 people who filled the great hall—and he read the editorial.

“In the name of the National Nonpartisan League,” he thundered, “I challenge this newspaper to disclose its authority and, if it fails to do so, it stands before the bar of public opinion either as an accessory before the fact of committing murder, or as one of the most infernal liars on the face of the globe.”

LaFollette spoke and there was some heckling, and some tremendous cheering and applauding, but there were no bloodshed and no disturbance, except in the newspapers. “LAFOLLETTE'S ANTI-WAR TALK IS CHEERED BY NON-PARTISANS,” screamed the *Journal* on page 1. “The LaFollette speech gave the direct lie to fervent loyalty resolutions passed by the convention a few hours earlier,” it went on. “The German language was heard largely in the crowd as it left the hall. Most of the crowd were apparently pro-Germans and pacifists.”

LaFollette, the paper said, “was inciting Minnesotans to talk sedition.” And it talked excitedly of ways and means to shut the senator up by clapping him in jail. Later, the Minnesota Public Safety Commission demanded LaFollette's removal from the senate as a traitor, and it was not until December 1918, after the war had ended, that a senate investigating committee decided, by a vote of nine to two, to reject the demand.

Originally, it is said, LaFollette had planned to give a speech criticizing President Wilson for usurping congressional powers, but was dissuaded from doing so by League officials who feared that adverse publicity would result. The senator prepared another speech, but, in the heat of the heckling in the auditorium, threw his manuscript away—and, with it, according to one friendly account, his caution. The result was that, speaking extemporaneously and recklessly, he said things which were more anti-war than anything could have been in the talk he had first prepared. League leaders, naturally, Were sorry, but. helpless, about the whole thing. They went so far as to issue a formal statement, after the conference, that the League in no 114 way agreed with LaFollette's war views, and the *Leader* , the League's organ, pointed out what it believed to be errors in the Wisconsin

senator's opinions on the causes of the war and the position of the United States. But the damage was done, and for many months afterwards the opposition used the LaFollette speech as a brush to smear the yellow paint of disloyalty on the organization and its members.

As a matter of fact, LaFollette's statements, in the light of later developments, seemed mild enough. His was a speech which might have been made in St. Paul in World War II without attracting more than routine newspaper and public attention. The bushy-maned Wisconsin senator explained and defended his opposition to the declaration of war. He said he did not believe the United States should have gone into the war, and that he still did not believe so. But now that the country was at war, he continued, profiteers should not be permitted to become millionaires because of it. “Take the profits out of the war,” he pleaded, “conscript wealth as well as men, adopt a taxation program to pay for the war as we go, and end the war as quickly as possible.”

The LaFollette speech was one which could easily be distorted, and *was* , in reports broadcast and printed throughout the country, for it definitely was critical of the status quo, and of the government. In those fanatical days of horsewhipping, tar-and-feathering, yellow-painting, and pro-German-calling, such criticism amounted to sedition. In a statement widely printed just before the League conference, William Jennings Bryan was quoted as saying that a citizen exercising the right of free speech in criticizing the government after a declaration of war “is not law-abiding; he is resorting to anarchy.” That seemed to be the prevailing sentiment.

The resolutions adopted by the League conference on September 20, and subsequently printed for distribution, contained their own explanation of the adverse publicity treatment that 115 the Nonpartisan organization had received from the newspapers.

“The profiteers have maintained large and powerful lobbies at Washington,” they stated, “and they have opposed every attempt to conscript wealth or to tax profits to the extent

our Allies have found necessary. They have raised the cry of traitor and treason, when any man has dared to criticize them, *and have done their utmost to make any criticism of them or any attempt to help the government to adopt the measures found necessary by our Allies, and so strenuously opposed by them, seem a criticism of the government."*

The resolutions went all-out for support of the government in the prosecution of the war.

"We are involved in the most gigantic war of all history," said the preamble, "a war for Democracy and Liberty against Autocracy and Slavery....Our war is to extend the political democracy which we, in the United States, enjoy, in order that political democracy may be safe in our own land, and that it may be used to accomplish its historic purpose—Industrial Democracy.... We join our Allies in this struggle, and to the end that justice, liberty, equality, and democracy, political and industrial, shall be the heritage of all mankind, we pledge our lives, our fortunes and our sacred honor to our country and our flag in this OUR WAR."

Even J. A. A. Burnquist, Minnesota's Republican wartime governor, and the more rabid members of his public safety commission, set up to enforce "law and order" in the State, might have set their names to such a statement.

They might not, however, have subscribed to most of the recommendations set forth by the resolutions for carrying on the war. It was, for example, suggested "that this nation take the profits of war and the surplus of production as it comes to the surface in the form of swollen dividends and incomes, to pay the expenses of war"; that Congress and the national administration "cause the dollars of America to be enrolled for 116 service, just as the youth of this nation has been compelled, and has gladly responded to the call, to enroll itself to fight and to die for human liberty"; that the government take over "all of the great basic industries"; that "we heartily endorse and commend all truly cooperative organizations, both of production and distribution"; and that "we heartily endorse the principle of labor unionism and we urge that the closest possible affiliation and

friendly relations be maintained between organized farmers and organized workers in the struggles of each, industrially and politically."

Ay, there was the rub. Those were the things which made the League "dangerous" and "un-American." Those were the things which made it necessary for the League's political enemies to convince the voters that the organization took its orders straight from Kaiser Wilhelm.

Soon came arrests of League speakers and organizers. Mob violence against League members was tacitly encouraged. The League was warned not to hold meetings in some places, on pain of having its speakers tarred and leathered and ridden out of town on a rail. Boycotts were started by merchants against League organizers. Banks refused to cash checks of depositors for dues paid to League organizers. Farmer-members of the League were terrorized, and threatened with yellow paint for their houses and barns.

In October, 1917, Gilbert called on Governor Burnquist to try to get him to call a halt to this mob rule. He read to the Governor several letters from farmers, telling of outrages committed against their property because of membership in the League.

"He looked at me fishy-eyed out of the corners of his eyes," Joe reported later. "And he said, 'Well, what would you like me to do?' I answered, 'I would like you to meet some of your constituents and hear from their own lips some of the things that are going on in this State.'"

On an appointed day, forty dirt farmers, from various parts of the State, marched from the League headquarters through town to the capitol. The procession filed into the office of a somewhat startled governor, and each farmer told in his own words how his patriotism had been doubted and his person, his family, and his property threatened. Tears trickled down the creased faces of some of the men as they told their stories.

“Now, Governor,” said Joe, when they had finished, “you have heard directly from the lips of these men what is going on in the State of which you are the chief executive. We want you to do something about it. We want you to issue instructions to your attorney general today. Order him to advise sheriffs, peace officers, and other public officials of their duty to protect these men and their property, and to see to it that meetings which they attend are protected from violence.”

“Then you think they don't know their duty?” interposed the Governor.

“Well, by God, if they do, they are not performing it,” Gilbert answered.

As a result of the strange protest meeting, Governor Burnquist promised to do what the League manager had requested. Whether his instructions were generally carried out—in view of later incidents, and in view of the approaching State primary elections—is doubtful.

In January of 1918, for example, came a letter to the headquarters of the League, announcing that no more Nonpartisan League meetings could be held in Jackson County, Minnesota. The letter (it turned out later) was written by County Attorney E. H. Nicholas at the request of R. C. Muir, Director of Public Safety, and chairman of the National Defense Committee, of Jackson County.1 It referred to organizations which opposed the

1 The letter was signed, in addition to Muir and Nicholas, by Sheriff O. C. Lee, County Auditor P. D. McKellar, Postmaster J. L. King, Probate Judge O. C. Thoreson, Mayor James Rost of Jackson, and County Treasurer H. L. Bond.

 government's war program, and which were supposed to be financed by German money, and continued:

The [National] Nonpartisan League has usually been classed as one of such disloyal organizations. It matters not to us whether your organization has been brought into

existence or fostered by German money. The fact remains that the work which it is doing at this time is most disloyal and most injurious to the best interests of this nation.

At a time when all good Americans are endeavoring to create a spirit of unity and to crystallize public opinion in favor of a vigorous prosecution of the war, you go about sowing seeds of class hatred, dissension, and unrest.

You try to divert the attention of the American people from the great and only issue now before them.... If there is anything wrong with our social or economic systems, it can easily be deferred until peace. When the Nation is in a death grapple for existence, you and your organization are doing your worst to fetter and weaken it. In our opinion, your action is not only disloyal, but seditious in the extreme.

We do not want you here at all. Any attempt to hold further Nonpartisan League meetings in this county will be likely to result in serious disturbances. For that reason, we shall use every measure at our disposal to prevent you from speaking here, and your organization from holding further meetings in this county.

A League meeting already had been set up for Lake field, in Jackson County, for January 23, with George D. Brewer as the speaker. Never one to sidestep an issue, Joe immediately wired Brewer that he himself would take the meeting and proceeded to Lakefield on the next train. He arrived about noon, and, after registering at the hotel and eating lunch, he strolled up the main street with Brewer and a few other Leaguers. They came upon a crowd gathered as if for a meeting, and they noted, moving about in their midst, a tall man whom they took to be the sheriff. Joe edged in and touched the fellow's shoulder.

“Are you Sheriff Lee?” Joe asked. “I'd like to speak to you.”

The crowd, mostly farmers who had come to town to attend the League meeting, eyed the men curiously as they walked away. Joe identified himself, and assured the sheriff he

was not there 119 to stir up any trouble, but rather only to prevent trouble and to assert the right of the League to hold a meeting without interference.

“I read to the sheriff the instructions which the state's attorney general was supposed to have issued, at the Governor's request, to every sheriff in the state,” Joe recalls. “He said he had not read the instructions.”

Joe pointed out that federal officeholders who had signed the letter to the League, forbidding a meeting, were guilty of violating the law in regard to freedom of speech and assembly, and he mentioned a statute which, he said, applied.

The sheriff appeared to be impressed.

“Well, as long as you're one of the leaders,” he told Joe, “you'd better take this up with some of the higher-ups here.”

They went up a stairway to the rooms of the Commercial Club. Joe waited in the hall while the sheriff went inside to announce the visitor. Soon he returned and said it would be all right, Joe could go in. A number of men were sitting around the room, chairs tilted back against the walls. Probate Judge Thoreson was there; so were County Attorney Nicholas and other county and Safety Commission officials.

“I understand,” the judge began, “you would like to speak to us, Mr. Gilbert.”

“Well,” said Joe, “I wouldn't put it exactly that way. I would be pleased to talk to you if you would be pleased to have me do so.”

Vigorously, he tried to convince them that they were acting foolishly in trying to prevent Nonpartisan League meetings; that they were violating the law in respect to freedom of speech and assembly; that the Nonpartisan League was a respectable body of citizens;

and that Mr. Townley had been granted an interview of over an hour with President Wilson, just recently.

“You don't think the President of the United States would have given an hour of his time to such a man as you would make 120 him out to be, do you?” he asked the judge. “And speaking for myself, I would say that I am a respectable citizen, a member of the bar in Philadelphia and in the State of Washington.”

“Gentlemen,” he concluded, “you take yourselves entirely too seriously. Lakefield is only a small part of Minnesota, and Minnesota is but a small part of the United States. And I think that you will agree with me that the honor and safety of this country does not depend on you gentlemen who are sitting around here acting the way you are.”

Judge Thoreson replied that a Nonpartisan speaker, named Irving Freitag, had made disloyal statements in the county, and that that was why no more meetings were to be allowed. Joe agreed that, if Freitag had made the remarks he was said to have made, he should have been arrested. “But,” he added, “you surely do not hold the entire organization responsible for what one of several hundred organizers may say.”

County Attorney Nicholas, however, was not convinced. He orated passionately and patriotically for quite a while, to the effect that the Nonpartisan League should be sent back to Germany where it came from. As he was speaking, the door opened and in filed the farmers, who had somehow got wind of what was going on in the Commercial Club rooms. Clad in huge bearskin coats, the farmers kept piling in until they filled two big rooms.

“Mr. Nicholas,” said the judge, “I think it would be well for you to tell these men what you have told us.”

The county attorney started in again with his Fourth of July harangue. When he had quite finished, there was a dead silence.

“Don't you think it would be in order for me to say a word, too?” said Joe, cleverly.

Applause from the farmers added weight to his request. After a whispered consultation between Judge Thoreson, Nicholas, the sheriff and a few others, the judge announced, “Well, Mr. Gilbert, you may speak.”

Joe started in to talk about the League program but was rapped to order.

“We don't want any Nonpartisan League speeches from you,” ordered Thoreson.

“Well, what would you like me to talk about?” asked Joe, quietly.

“Loyalty,” replied the judge, sharply.

“All right, I'll start over and see if I can do better. I don't know anything more loyal than to read the stand of the League on the war, as stated in its war resolutions.”

The gavel banged down again, and the sound produced mutterings from the crowd of farmers.

“All right, men,” Joe called out. “Let's not have any trouble here. Our presence is not wanted. Leave quietly. I'll talk to you somewhere else.”

“Take my advice and go home peacefully,” Nicholas warned, as they began to the out. “Don't listen to that man. And remember, don't let us have any trouble.”

“We'll remember this in November,” one of the farmers sang out.

The crowd reassembled in the courtyard of Kamp's livery stable. Joe climbed onto a wagon and began to speak. He went down the familiar League line for about half an hour, calling for conscription of wealth. Sheriff Lee remained close by.

“I'd like to see a jackpot of money, men, and materials,” he emphasized.

At this point, Sheriff Lee decided he had heard enough. He got up and pulled Joe's trouser leg.

“You're under arrest,” he announced.

“We'll go your bail,” yelled several in the crowd.

So the sheriff, Joe, and a cluster of his audience went to Judge Thoreson's office for the formal booking ceremonies. The sheriff turned to Joe, a bit apologetically. “Let's see, you said you were a lawyer; maybe you can make out your own bail bond 122 here.” Joe obligingly sat down before a sort of typewriter and began filling in the form.

“Now, sheriff,” Joe said, “what's the charge?”

The sheriff grinned. “Rioting,” he said.

Several farmers came up and signed as bondsmen, whereupon Joe was released. He returned to St. Paul that evening. The case came up for trial before a jury, in a justice-of-the-peace court, in Lakefield, on February 11, the charge having been changed to “unlawful assembly.” Joe was defended by Attorneys James Manahan, a former congressman from Minnesota, and H. A. Paddock. The trial was held in the town hall, to accommodate the big crowd that attended.

It was charged that Joe, in his “livery stable talk,” had referred to county and Safety Commission officials as “flag wavers” and “ *pay* triots,” and that he had told the farmers that “your boys would be better off on the farm than in the trenches. Who will feed these boys when they are in the trenches, five thousand miles away?”

Joe, however, testified that he had said “the boys on the farm are rendering just as valuable service toward winning the war as the boys in the trenches.”

“I also said, ‘Who would feed the boys in the trenches if everyone was at the front?’” he added. “I pointed out that modern warfare could not be waged successfully if every man went to war, and then I dwelt upon the economic phases of war.

“I made fun of the county Officials, and I did say some of these officials were waving the flag and spelling their patriotism with a big P-A-Y. I thought it was ridiculous, impertinent, and silly that men who would sign such a letter (as that to the League) should cloak themselves in the robes of religion or patriotism, and I thought they should be ridiculed. I ridiculed them.”

The case dragged along, and at suppertime the judge announced a recess until 9 p.m., in order that he might have the 123 opportunity to entertain a visiting dignitary. When the trial was resumed, the hall was still filled, but mostly with townspeople, for nearly all the farmers had left for home. At midnight, when the trial still had far to go, the judge announced an adjournment until 9 a.m. the next day. Before any of the two hundred and fifty people still in the room could leave, someone jumped up and yelled:

“Shut the door, don't let anyone go; we're going to auction off a parrot for the benefit of the Red Cross.”

Sure enough, somebody produced a green parrot in a cage, and the fun began. Attorney Manahan finally bid it in at fifteen dollars and then, mounting a table, he tried to put the bird up for auction again. Holding the caged green parrot high above his head, and with his fine shock of Irish red hair tossing as he spoke, he began to twit the two prosecuting attorneys for not bidding. Ragged tempers began to flare. Loud arguments started all over the hall. Someone made an insulting bid of ten cents for the parrot, and, in the hubbub,

fists began to fly. In this bedlam, Sheriff Lee decided it was time to act. He followed a procedure which, by now, was becoming familiar.

“You're under arrest,” he told Joe, who had been quietly doing nothing.

Joe immediately vaulted onto a table. Sheriff Lee, afraid his quarry was trying to get away, grabbed Joe's trouser leg to pull him down.

“Let go,” howled Joe, “or I'll kick you in the face.”

The sheriff, shocked at such behavior on the part of his hitherto model prisoner, let go.

“They've arrested me again,” yelled Joe, “anybody going my bail?”

Again the little procession marched to Judge Thoreson's office. Again Joe filled out his own bail bond. Again several farmers were his bondsmen. Again Joe was booked for rioting.

As they were leaving, Attorney Paddock asked the sheriff, 124 “Have you any more warrants against this man?” Yes, the sheriff did have another, and it was served. But once more the farmers came through as bondsmen, and the attempt to get Gilbert behind bars had failed.

As the “rioter” and his attorney went wearily to their hotel, they saw a crowd, acting as if it might turn into a mob, collected near a garage. Disliking to turn tail and run, they decided to walk right through as if nothing were happening. Apparently the crowd was intent on some other matter. The two Leaguers attracted scarcely a glance. Arrived at their hotel, already darkened for the night, they had to arouse the proprietor to get in. He begged them to get out of town, for their own sake as well as the hotel's. The mob, he predicted, would tear down the hotel looking for them. But they refused to take fright, and, finally, the proprietor admitted them.

They went first to Manahan's room. The lights were on, but the Irishman was not there, and things were strewn all around the place as if he had left in a hurry. They decided it would be useless to go and look for him. They might as well go to bed. Instead of taking the room for which he was registered, however, Joe took the precaution of moving into another room, which was vacant. Moving the bed against the door, and wedging a bureau in at the other end, he retired. In half an hour came a rap at the door. It was Paddock, who reported that it was Manahan whom the crowd had “treed” in the garage, and that he was now on his way back to St. Paul. It seems that after Manahan had left the parrot auction, he went to the hotel but was marched from there to the garage by a deputy sheriff, who suggested it might be better for him to leave town. The mob backed up the deputy, and Manahan left.

Next morning, with Paddock in charge for the defense, the trial was resumed. Finally, about suppertime, the jury got the case and was ordered to report back that evening. Joe insisted he would not leave his hotel after dark.

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“I won't budge unless you furnish an escort for my safety,” he told the judge.

“Oh, there won't be any trouble,” that official remarked, confidently.

“Look what happened last night,” Joe reminded him.

“All right, we'll send an escort,” the judge conceded.

“Furthermore,” announced Joe belligerently, “I'll kill the first man who lays a finger on me—and don't think I won't.” And, as a smiling afterthought, “Even if it's you.”

Accordingly, Joe was marched from the hotel to the courtroom for the verdict, in the midst of a strong escort. The verdict, as expected, was “guilty.” Appeal bonds, however, already had been signed, and an automobile was waiting to take the convicted “unlawful

assembler” to near-by Heron Lake for the night. He jumped into the car, and drove off to the accompaniment of jeers from a crowd that was watching.

The case was never called again. That was the last of it, except as it supplied material for the State in another trial, in Jackson County, which was not quite so funny.

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13 Temporary Vindication

Shortly after the United States declared war against Germany in April, 1917, the State of Minnesota enacted a sedition law which made it illegal to advocate “that men should not enlist in the military or naval forces of the United States or the State of Minnesota,” or “that citizens of this State should not aid or assist the United States in prosecuting or carrying on war with the public enemies of the United States.”

Fines of from $100 to $500, and imprisonment of from three months to a year, were the penalties.

Zechariah Chafee, Jr., Professor of Law at Harvard University, has pointed out that this Minnesota Act represented the first attempt by one of the States to curb opposition to war, since the early years of the Revolution.

“It remained for our own day,” Chafee said, “when the doctrine of states' rights was supposed to be on its last legs, to establish by a Supreme Court decision...that the weapons which Massachusetts and Virginia used against the disloyal remain sharp and active in the hands of modern State governments and were not surrendered to the nation in 1789.”1

1 *Free Speech in the United States*, by Zechariah Chafee, Harvard University Press, 1941, pp. 285–6.

The Minnesota sedition law seemed practical and relatively 127 mild. It seemed to say that anyone who persuaded young men not to enlist, or who preached resistance to the war effort, should be fined and put in jail. It turned out, however, that, as Chafee observed, “You never can tell from reading the law when enacted what sort of speeches and pamphlets will be suppressed by it six months later.”2 Moreover, the Minnesota courts held, Chafee pointed out, “that this statute could be violated although not a single person was dissuaded from enlisting, without a word about enlisting, and even though the jury found and believed that the speaker had not the slightest intention of hindering enlistment or any other war service.”3

2 *Ibid.*, p. 287.

3 *Ibid.*, p. 287.

Political leaders in Minnesota were not unaware of the uses to which the Sedition Act could be put. The June primaries, meanwhile, were coming closer and closer, and the Nonpartisan League was becoming more and more of a threat to the State's rulers. League opponents certainly were not so obtuse that they could be accused of failing to put two and two together. The League and its leaders were under a war cloud of suspicion as to their loyalty. What an easy political target the League would make if only the voters came to associate it with “Pro-German!” “Disloyal!” “Seditious!” and other bad words. How much easier and simpler it would be to call names than to try to meet the arguments of the League with logic and reason. And although federal authorities refused to act against the League, the State's own sharp-edged Sedition Act lay conveniently close at hand, ready for use in just such a period of wartime hysteria. It was an opportunity which, of course, no “self-respecting” political—or economic—opponent could afford to pass up.

In Fairmont, seat of Martin County in southwestern Minnesota, was the answer to the anti-Leaguers' prayers. He was County Attorney A. R. Allen, young, ambitious, 200 per cent patriotic, and a firm believer that everything in the world is just 128 about right as is.

There was one exception. He was an outspoken opponent of the Nonpartisan League and everything it stood for, and especially of those planks in its platform which called for changes in the economic system. But he, too, saw the wisdom of avoiding a struggle with the League on that battlefield. Instead, like County Attorney Nicholas of Jackson County, and like the other “status quo” people, he attacked it as a pro-German institution and its leaders as traitors and agents of the Kaiser.

Following up a frenzied indictment along this line, before a convention of the Minnesota Association of County Attorneys, Mr. Allen said, on one occasion:

“God forbid that the prosecuting attorneys of America should slumber in the presence of this disloyalty. The League is the Kaiser's hope. Let us resolve that this criminal, disloyal political club that brazenly seeks to mislead thoughtless innocents, associate them with traitors and spies, corrupt our officials, capture our country and lead her blindfolded by the route of Russian bolshevism to a condition of Prussianized slavery, shall not go slyly or successfully about its nefarious work.”4

4 St. Paul *Daily News*, March 10, 1918.

Mr. Allen got hold of the war resolutions pamphlet published by the League, as well as the resolutions adopted at the “high cost of living conference” in St. Paul in September. They represented everything that the League, as an organization, had said publicly about the war. One day, late in February, 1918, Sheriff W. S. Carver and Deputy Sheriff W. L. Roepke, of Martin County, arrived at the Endicott Building offices of the League in St. Paul. They arrested A. C. Townley, president of the League, and Gilbert, organization manager, on warrants sworn out by County Attorney Allen, accusing them of publishing and circulating seditious literature in violation of the State's Sedition Act. The war resolutions, which had been written mostly by Joe, and the St. Paul convention resolutions were named as 129 literature which obstructed army enlistments in the state.

The sheriff expected to take Townley and Gilbert back to Fairmont at once, but his prisoners claimed the right to go before a Ramsey County judge and furnish bail for their appearance when called. They won the argument. They were released on $3000 bail each, and the disappointed sheriff and his deputy returned home to Allen with the court order, but with nary a prisoner. Furious at having been cheated of his victims, Allen immediately set about remedying the discrepancy. He insisted that the Ramsey County court in St. Paul had no jurisdiction in the case.

Two days later, on a Saturday afternoon, the League office again had visitors, the same sheriff and the same deputy. This time, Townley was out of town. Only Joe and two other employees were present.

“Well, put on your coat,” Sheriff Carver ordered Gilbert. “You've got to come with us this time.”

Joe tried to reason with the man, but in vain. The sheriff was insistent. Joe did his best to stall long enough to get word to Lemke or Arthur LeSueur to obtain a writ of habeas corpus or some other stay whereby he could avoid the Fairmont trip. Fortunately, the Martin County men waited awhile, hoping that Townley would show up—but not long.

“Any objection to going by my apartment so I can get some things for the night?” asked Joe.

No, that was all right. The three of them got into a big limousine in which a chauffeur was waiting, and drove to Joe's home. He packed his grip for the night, taking plenty of time to find his pajamas and tooth brush. Julie was not at home, and his escort gave Joe no opportunity to write a note. Next stop was the Astoria Hotel, in St. Paul. Sheriff Carver got out and announced he was going to stay there to wait for Townley. Apparently he had instructions from Allen not to come back until he did have the League president in tow.

Off went Deputy Roepke, Gilbert, and the driver.

“Well, know where we're going?” the deputy asked.

“Oh, I can guess,” his prisoner said. “You're getting outside Ramsey County to avoid service of a writ of habeas corpus.”

“You guessed it,” his pal said. “We're not going to be stopped this time.”

They reached Mendota, and here the deputy dismissed the driver, who drove back toward St. Paul, and the two men proceeded to the railroad station to wait for the next train to Fairmont. They had a wait of about two hours. It was a spring-like day and they walked up and down the platform, chatting. One time Roepke left his prisoner alone to go inside the station. Quickly Joe tore a leaf out of a notebook and wrote on it:

“Phone 2385: Gilbert boards train at Mendota for Fairmont.”

He wrapped the note around a silver dollar, put it in the hand of the girl attendant in the station, and went outside again. Shortly after Roepke returned, the girl came out with the paper in her hand, saying: “Do you mean 2385 in St. Paul or Minneapolis?” Joe grabbed for the note first, and got it. But the deputy had heard the number and he immediately jotted it down in his notebook.

“If you try any funny business,” he said, “we'll go down the road in two minutes.”

At length, they boarded the train for Fairmont and got as far as Lake Crystal, with some fifty miles to go. Here the conductor brought Roepke a telegram. He read it.

“Damn!” he said and handed it to Joe.

“Bring Gilbert back to St. Paul,” the telegram read, and it was signed “Carver.”

“I don't know whether this is a fake telegram or not,” the deputy said. “Do you think the Nonpartisan League would pull a trick like that?”

Joe laughed. “No, Roepke,” he said, “that telegram is genuine.”

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The deputy was not convinced. As he continued to debate with himself, the conductor called “All aboard,” and decided the issue for him.

“Well, guess we'll go on,” said Roepke, uncertainly.

It was around midnight when they arrived at Fairmont. Allen met them at the station, and with him was the mayor.

“Now I don't want you to think we are persecuting you,” Allen hastened to assure Joe. “You can sign this,” he said, holding out a bail affidavit, “and then go to your hotel.”

The idea was to have Joe free, with Allen going his bail. But Joe had his dander up.

“You can't go bail for me,” he told Allen contemptuously.

So they went to the jail. Roepke tried to get Carver on the phone, but for some reason failed.

“I can't get Carver,” he told the mayor, “and I don't know what to do with this gentleman.”

“Well, you'd better do something pretty soon,” the “bear-by-the-tail” Joe said. “Either put me in a cell or let me go free. I want to get some sleep.” Then, turning to the county attorney, “You'll take me back tomorrow, Allen.”

They put Joe in a cell, made him as comfortable as they could, with nice fresh sheets on the bed, and announced the cell door would remain unlocked. Then, wishing him a kindly goodnight and pleasant dreams, they went softly away.

Next morning, Allen showed up at the cell door.

“We're going back to St. Paul,” he said.

“Sure, I knew that,” remarked Joe, casually.

“How did you know?” inquired Allen, surprised.

“I wouldn't have to be very smart to figure out what happened,” Joe answered. “Carver was fool enough to stay back there and get a writ of habeas corpus served on him to produce me in St. Paul. That's all.”

Allen did not say a word.

The newspapers, meanwhile, were jubilant over the arrests.

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“Gilbert! Gilbert! Who'll get Gilbert?” led off the *St. Paul Dispatch* . “The last shot in the locker,” it continued, “or the last biscuit in a salt-soaked boat on a landless sea, is no more in demand than the manager of the Nonpartisan League, arrested yesterday in St. Paul, kidnaped to Mendota, frisked away to Martin County, and in jail at Fairmont awaiting the call of a writ of habeas corpus issued in a Ramsey County court, demanded as the alleged prisoner of Martin County, and to be produced in the district court here tomorrow at 10 a.m.”

“Somewhere in St. Paul,” the paper's story went on in inspired style, “Sheriff Carver is imitating the gyrations of a tango hound between the telegraph office, his hotel, and various persons capable of giving legal advice. He is all tied up with writs and things

that compel him to produce the person of one Joseph Gilbert, and the person of the Nonpartisan League manager can't be produced offhand, because Gilbert is in Fairmont."

At the Astoria Hotel, that Sunday evening, Joe met a sheepish-looking Sheriff Carver.

"Well, you can go home now," he told Gilbert. "I guess there's no doubt but what you'll show up all right."

As Joe had surmised, what had happened was that Lemke, H. A. Paddock, and F. A. Pike, League attorneys, had somehow got wind of his abduction and had prevailed upon Judge F. N. Dickson, in Ramsey County district court, to issue the writ of habeas corpus.

"I do not know what the allegations are against Mr. Gilbert," Judge Dickson observed, "but if they are made under the law against discouraging enlistments, he would have a right to go before a judge here and furnish bonds."

The effect of the writ, when served upon Sheriff Carver at his hotel, was to force him to bring Gilbert in person before Judge Dickson's court. That was why he had sent the telegram to his unbelieving deputy, Roepke, ordering the prisoner's immediate return.

Next day, in the Ramsey County court, the League attorneys' contentions were upheld. Joe was given his liberty on the $3000 bond which he had given originally, and was ordered to appear before the Martin County court, at Fairmont, on the following Monday.

The three Martin county officials, meanwhile, were wide open to both criminal and civil actions on kidnaping and false imprisonment charges, and Joe started suit. Some time afterwards, the case was settled out of court with a payment of $275, which Joe turned in to the League treasury.

In the Martin County district court, that next Monday, March 11, League attorneys entered a demurrer to the indictments against Gilbert and Townley. They argued that the two

sets of resolutions did not hinder enlistments, as charged, but, on the contrary, ought to encourage enlistments, because persons intending to enlist would realize that, while they were fighting in Europe for democracy, the folks at home would be keeping democracy alive in America. The county court promptly overruled the demurrers, but agreed to certify them directly to the State Supreme Court, in order that that body might pass on the validity of the indictments before Townley and Gilbert were actually brought to trial.

That was in March. The State primaries were in June. The Supreme Court did not hand down a ruling on the case until July.

News of the sedition indictments, meanwhile, was spread in bold type throughout the nation, and particularly in those States where the League was attempting to gain political footholds. In Minnesota and elsewhere the charges became the stock “proof” that the League heads and the League itself were disloyal and pro-German. The slightest reference to the League invariably contained also a mention of the indictments for sedition.

Against such a smear campaign, the League waged an uphill 134 political fight. Many other communities in Minnesota followed the lead of Jackson and Martin counties in prohibiting League meetings and banishing League speakers and organizers.

“Whenever a League meeting was violently and lawlessly suppressed by small-town authorities,” protested *The Nonpartisan Leader* , “whenever League organizers were submitted to brutalities and gross indignities by mobs, whenever campaign banners were snatched from farmers' automobiles and trampled in the dust, the excuse was that the League was under indictment and was disloyal.”

Appeals for fair play to Governor Burnquist and his Public Safety Commission went unheeded. It was only natural, they indicated, for some patriotic people to overstep the bounds of the law, sometimes, when they were confronted with the efforts of an

organization to elect men to office while its leaders were under indictment for “stabbing the United States in the back.”

So the mob violence and suppression of the rights of free speech and freedom of assembly went on. League members continued to be beaten, rotten-egged, tarred and leathered, or run out of town. When the Supreme Court heard arguments on the case, just a few weeks before the Minnesota primaries, front pages of the newspapers fairly screamed with headlines and stories giving the prosecution's arguments, and faintly whispered with a few paragraphs on the arguments of the League's attorneys. Never were the resolutions on which the indictments were based published in full. Every day, without fail, the newspapers convicted the League, and Townley, and Gilbert, of attempting to destroy the American way of life, as a favor to Kaiser Wilhelm. And on the day of the primary, the *St. Paul Dispatch* headlined its election story: “PATRIOTS BATTLE AT PRIMARY TO ROUT NONPARTISANS.” “Loyalty against disloyalty was the outstanding issue,” said the paper.

Even so the League's candidate for governor, ex-Congressman Charles A. Lindbergh, ran up a vote of 150,000 in the state, and 135 was by no means snowed under. In addition, the “Nonpartisans” managed to nominate a number of candidates for the legislature.

Then, on July 5, 1918, the Minnesota Supreme Court announced its decision. It was a sweeping victory for Townley, Gilbert, and the Nonpartisan League. The court found unanimously that the League's war views, as set forth in the two resolutions pamphlets, did NOT obstruct Army and Navy enlistments, and did NOT discourage giving assistance to the government in the carrying on of the war. It completely vindicated the League in its stand, and effectively refuted the disloyalty charges which had been harassing the farmers' organization.

In view of other cases which were to come before it, the court's reference, in its opinion, to the object of the legislature in passing the Sedition Act is pertinent. Said the court:

The object of the legislature in the enactment of the statute was not that the State should wholly take over the burden of prosecutions of the kind, which primarily are of federal cognizance. The purpose was to aid the federal authorities in the prevention and suppression of sedition and like conduct on the part of persons whose tendency to criticism and condemnation of all things governmental leads them to the border line of treason and sedition.

For adjudications as to what acts or things done or said will constitute a violation of statutes of this kind, we look to the federal courts, for in reality it is the Federal Government and its authority that are challenged by seditious conduct, rather than State authority, and the courts thereof constitute the proper tribunal for the establishment of rules guiding such cases.

Moreover, in considering the Gilbert-written war resolutions adopted by the League in June 1917, the court asserted:

“It is perhaps not out of place to say that the resolutions have not yet attracted the attention of the federal authorities.”

Further commenting on the Gilbert resolutions, the court stated:

The resolutions are prefaced with expressions of loyalty, and declare the purpose of the organization to stand by the government in the present crisis. The declaration of the loyalty and 136 purpose of the association may be sham, as urged by the State, but we have no right to so assume. The resolutions appear to be nothing more serious than a rhetorical, and somewhat flamboyant, platform upon which a certain class of citizens are solicited to join an organization whose avowed purpose is the amelioration of the alleged evils of present economic conditions, and to bring about a more equal distribution of the wealth of the world among all classes of mankind.

The decision was hailed by the League as a severe blow to Burnquist and his political henchmen.

“The opinion of the Supreme Court,” said *The Nonpartisan Leader* , “will interest every citizen in the United States who is opposed to making the war an excuse for persecuting and crushing liberal and democratic movements of the people, and it is a victory for free speech in wartime that will have widespread consequences as a precedent.”

The *Leader* , unfortunately, as later events were to demonstrate, was a bit too optimistic.

Perhaps as significant as the opinion of the court itself was the treatment which that opinion received in the daily press. The story is told that, in the *Leader* office, somebody started an argument as to how the St. Paul papers would “play” the court's ruling, and, of a dozen persons, all former newspapermen, only one believed it would go on page 1. For being such a chump, he had to buy dinners for the staff. In any event, the *Dispatch* , having made front-page capital out of the case while it was being argued before the Supreme Court, reported the decision vindicating the League under a modest headline on the *back* page. Next morning, however, a statement issued by County Attorney Allen went on the *front* page of the *Pioneer Press* , sister paper of the *Dispatch* .

“The court may not see the poison in the League resolutions,” said Allen, “but citizens do. The resolutions have discredited and ruined Townley and his League, and the decision will not change the opinion of the people.”

Allen called the case a “success.” He was probably right.

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14 Convicted of Sedition

On march 14, 1918, less than a week after the Martin County court had indicted Gilbert and Townley, a Goodhue County grand jury at Red Wing returned an indictment against

Joe, also for violation of the Minnesota Sedition Act. Indictments came in thick and fast at League headquarters in those pre-primary days; at one time, Joe, as organization manager, had no less than five against him.

The Red Wing indictment was based on statements which it was alleged Joe had made in his speech from the portable bandwagon at Kenyon (in Goodhue County) the evening of August 18, 1917. Randall and Martin, the other League speakers on that program, were also indicted, and convicted, on similar charges, but subsequently obtained new trials, and were never called again. Gilbert was the man they wanted to “get.”

Gilbert, the indictment charged, discouraged enlistment, and aid to the United States in carrying on the war, by saying publicly, “in substance and effect”:

“We are going over to Europe to make the world safe for democracy, but I tell you we had better make America safe for democracy first. You say, ‘What is the matter with our democracy?’ I'll tell you what is the matter with it: Have you had 138 anything to say as to who should be President? Have you had anything to say as to who should be governor of this State? Have you had anything to say as to whether we should go into this war? You know you have not. If this is such a great democracy, for Heaven's sake why should we not vote on conscription of men. We were stampeded into this war by newspaper rot, to pull England's chestnuts out of the fire for her. I tell you if they conscripted wealth like they have conscripted men, this war would not last over forty-eight hours.”

Now it should be understood, as background, that the League had tended to solidify and sharpen a growing division of opinion between farmers and townspeople. John Lord O'Brian, who, as assistant to Attorney General Gregory directed the enforcement of the federal Espionage Act at that time, made this observation:

“The general condition in the grain-producing states was intensified by the traditional hostility of the farmer toward the commercial interests of the cities—a phase of agrarian discontent usually summed up in the claim that the townsmen profited unjustly at the

expense of the consumers. This steadily showed itself in many rural districts in a form of hostility toward State, county, and local councils of defense which, it was claimed, were usually dominated by businessmen, boards of trade, commercial clubs, etc."5

5 *Free Speech In The United States*, by Zechariah Chafee, Harvard University Press, 1941, p. 288.

Liberty Bond committees in Minnesota caused resentment in many a rural family by forcing farmers, as well as others, to the a complete inventory of real and personal property. This inventory, then, was used to determine the amount of bonds the owner was requested to buy. In many cases, the farmers had to borrow from the bank to pay for the Liberty Bonds, and paid the banker a higher rate of interest than they received from the government for the bonds.

The League, naturally, attracted to its banner farmers who 139 had grudges against either the existing political or the existing economic setup. Differences of opinion between the League groups and their opposition grew increasingly sharp. Whole counties divided into Leaguers and anti-Leaguers. The Leaguers were usually the poor or only moderately well-off farmers; the anti-Leaguers were usually the rich farmers, the small town merchants, and other unwitting allies of Big Business and Resisters of Change. The Leaguers became increasingly sure that the machinations of Big Business interests and their political fronts were at the bottom of their troubles; they became more and more convinced that they must engage in a "holy war" to recapture the government for the people. Their opponents became equally sure that the League constituted a dangerous threat to their continued comfortable existence and they must see to it that, one way or another, this League and all its works were crushed. Attacks on the existing scheme of things, they rationalized, are attacks on the nation itself. The League and its leaders are traitors, they argued, and must be removed from the scene.

This was the situation, then, as the trial of Joe Gilbert, on charges of disloyalty, began on May 8, 1918, with the State's Republican attorney general, Clifford L. Hilton, eagerly assisting Thomas A. Mohn, the Republican Goodhue County attorney, and with Joe defended by four League attorneys, George Nordlin, Thomas V. Sullivan, Frederick A. Pike, and Arthur LeSueur.

District Judge Albert Johnson ruled at once that no Nonpartisan League members could serve on the jury. Obviously, in view of the political situation, this was in effect a ruling that only opponents of the League could serve as jurors. In those days, you were either for the League or against it. Neutrals were rare.

The State's case rested on the testimony of seven witnesses, afterwards referred to as the “parrot chorus,” who all remembered the same ten sentences, and the same words, in the same order, from the speech which Gilbert had made *nine months* 140 *before* . Those ten sentences were the ones quoted above from the indictment. The star witness for the State was Andrew Finstuen, the *Kenyon Leader* editor and publisher (and also an attorney), who had introduced the League speakers from the bandstand platform. He said he had taken notes in a little book on his knee during the speech, and that was how he remembered so well what Gilbert said.

Interestingly enough, Finstuen wrote, on April 17, 1945, that when it began to look like trouble at the bandwagon, he stepped down but that “Gilbert himself quieted the crowd by declaring for loyalty and advising them to support the government in what it was undertaking to do.”

This section of Finstuen's cross-examination by Attorney Nordlin is also significant:

“Q. You made a statement as to what you say Mr. Gilbert said at this meeting, starting with the words, ‘We are going over to Europe to make the world safe for democracy’ and

concluding with the words, ‘If they would conscript wealth like they do men, this war would not last forty-eight hours.’ Was that all said in continuation? A. No, not all of it.

“Q. Tell me how it is you repeat it in exactly the same manner you have, with these exact sentences following one after the other? A. I gave you what he said right along.

“Q. How did you happen to use these exact sentences in these exact places? A. Well, I remember he said so.

“Q. Have you listened to the indictment in this case? A. No, sir.

“Q. Yet you say, this was not said in regular continuity, sentence after sentence; it was just sentences taken out of his speech, yet you follow this indictment word for word? A. Some of it was continuous just as I gave it.

“Q. Yet, this not being continuous talk, you could sit there and repeat word for word this indictment without having seen the indictment? A. I have not seen the indictment.

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“Q. Yet you can repeat it word for word; sometimes two or three minutes elapsed between the expressions that you have mentioned here, is not that true? A. Yes.”

The defense also sought to bring out the fact that practically the same words as those attributed to Joe were contained in the indictment against Martin. But the judge refused to allow the Martin indictment to be produced before the jury as evidence indicating a frame-up.

Witnesses for the defense—farmers, for the most part, who were present at the meeting denied that Gilbert had said what the indictment charged him with having said. Here is a typical part of the cross-examination of one of these defense witnesses by Prosecutor Mohn, seeking to show disloyalty:

“Q. You have made expressions several times that you were opposed to the United States going into this war? A. Before the war, I think I did.

“Q. And subsequently you have been opposed to it? A. No, sir.

“Q. You did not buy any of the first issue of Liberty Bonds? (Objection to question overruled.) A. I have Liberty Bonds of the first issue.

“Q. When did you buy them? A. I received them as a gift.

“Q. You did not buy any? A. Not of the first issue.

“Q. Nor of the second? A. No, sir.”

On the stand in his own defense, Joe testified that what he really had said at Kenyon, and what could have been distorted into the sentences in the indictment, was in substance this:

According to the words of President Wilson, we are fighting to make the world safe for democracy and what does democracy mean? It means self-expression—that means the right of the people to determine the laws and conditions under which they shall live. And there was never a more propitious time than the present for declaring what those conditions shall be, because of the very necessities arising out of the fact that we are engaged in this great world conflict.

I stated that war, modern war, involves many economical problems; that it takes more than men to fight wars, that men have to 142 be fed and clothed and equipped and in order to conduct war we had to take into consideration these vast industries which were absolutely necessary—essential to the conduct of the war. At the present time, I said, these industries are privately owned and controlled; if it is right and proper to conscript men to fight, it is equally necessary to conscript the material means which enable them to continue to fight. I stated that when we conscripted men we took the flower of the nation,

to lay down their lives if need be in defense of the nation; then why should we not take the means to sustain these men in their fight and those dependent on them at home?

I said that the League stands for mobilizing all the men and material and other forces of the nation to the end that we would win the war quickly, and that is what we mean by industrial democracy.

The jury got the case in two days, and shortly returned a verdict of guilty. Judge Johnson announced the maximum sentence—a year in jail and a fine of $500.

Joe's attorneys immediately asked for a stay of sentence, pending an appeal. This request is usually only a formality which is promptly granted. On this occasion, the judge said, “Well, Mr. Nordlin (one of the defending lawyers), that will depend. I'll have to make a stay of sentence conditional. I don't know whether or not you can comply with the conditions.”

“What are those conditions, your Honor?”

“The conditions are that the Nonpartisan League will refrain from all further activities in Goodhue County.”

Nordlin was nonplused. During the trial, the judge had on one occasion threatened the attorney with contempt of court for bringing the League into the case. Gilbert is on trial, not the League, he was warned. Now, in answer to the judge's specified “conditions,” Nordlin protested:

“But, your Honor, I cannot answer for what the Nonpartisan League will do.”

“Well, will it take you long to find out?” Johnson asked.

Joe could restrain himself no longer.

“I'll answer that,” he said.

“I'm talking to your attorney,” the judge told him.

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“But I'm in a better position than he is to make a statement on this matter,” Joe insisted, and, as the judge hesitated, went on. “You have repeatedly ruled that the Nonpartisan League is not on trial and is not to be mentioned. Now you yourself have the audacity to bring the League into the case. I'll tell you this: that never with my consent will the Nonpartisan League get out of Goodhue County.”

Nevertheless, the stay of sentence, pending an appeal, was granted.

It was December, 1918, however, after the war had ended, before Minnesota's Supreme Court announced its decision on the appeal. In the more than seven months which passed following the district-court conviction at Red Wing, two pertinent events occurred. One was the League's sweeping triumph over its foes in the Martin County suit accusing Townley and Gilbert, as Nonpartisan League officials, of violating the Sedition Act. In view of this unqualified vindication of the League's war resolutions by the State Supreme Court, in July, Joe's chances of winning a similar victory in his appeal appeared bright.

The other event was a small-sized revolt, within the League, against Townley and his methods of management and operation. The revolt was led in Minnesota by Joe Gilbert. As has been explained before, the Nonpartisan League was not run democratically. Townley, its president and ruler, had not been elected by the membership. The national executive committee of Townley, Lemke, and Wood was Townley-appointed and Townley-perpetuated. Townley had complete control over the League treasury and made no accounting, to the members, of the millions of dollars in dues and investments which came pouring into the coffers every year.

Once, when the League needed additional money, an organization known as the League Exchange was created, and capitalized for $1,000,000, and shares were sold

to the farmers at $100 each. When still more money was needed, at the end of the 144 expensive primary-campaigns in Minnesota and North Dakota, in June, 1918, life memberships in the League were sold at $100 each. To finance the Consumers United Stores Company, a League project in North Dakota, members invested nearly $1,000,000 in $100 lots. The same was true of other League enterprises, such as the newspaper plant purchased in Fargo and the banking venture there. In every case, Townley had all the say-so, the League members, none. As a matter of fact, however, there existed at this time among the rank-and-file little opposition to Townley's leadership. So long as he was delivering the goods, it mattered little to the man-on-the-farm whether he delivered them democratically or autocratically. So long as Townley could keep on pushing through legislation beneficial to the farmer in North Dakota, and so long as he showed signs of being able to duplicate these political feats in other States, they figured they were getting their money's worth out of their investments in the League, and that it was none of their business how the money was used. Results were what they wanted, and they were getting them.

Probably the first man within the League to challenge Townley's methods was the Rev. S. R. Maxwell, of Colorado, who became successively a League organizer, field manager, and national speaker. In the fall of 1917, he wrote Townley demanding that money paid to the League by its members in Colorado be kept in the State, and that they be given State autonomy. He threatened to set up a separate organization if these demands were not granted, and demonstrated that he had the backing of enough influential farm leaders to do so. Immediately he was asked to come to the League headquarters in St. Paul, where, in Townley's absence, he talked to Gilbert and Arthur LeSueur. In his book, “The Nonpartisan League From the Inside,” Maxwell reports that Joe admitted that his analysis of the League machine as a top-down organization was true. According to his account of the meeting, this conversation followed:

“Then,” said I (Maxwell), “Townley is an autocrat and he has constructed a machine separate from the League itself and, through this machine, which registers his will, he exercises despotic control over the League.”

“Yes,” said Gilbert, “but such an arrangement is absolutely essential in the present stage of the growth of the League.... The enemy we must defeat is an invisible enemy that recognizes no State lines, is splendidly organized and under one head. It is the empire of Money. To defeat this giant power, we must organize on the same plan. We must have a central fund for the money collected, we must organize a machine that does not recognize State lines, we must so coordinate our forces that we can mass them at any one point, at a moment's notice. And this giant machine must be under one supreme authority, and that authority must be absolute.”

“In other words,” I said, “you would substitute one machine for another machine of exactly the same type, one form of despotism for another form of despotism. You would cure the disease by introducing the same disease.”6

6 *Nonpartisan League From the Inside*, S. R. Maxwell, Dispatch Printing Co., St. Paul, 1918.

Maxwell was finally stalled off by a promise that the difficulties would be adjusted and all demands met. They never were, but for the time being the anti-Townley revolt led by the former minister was ended.

The arguments used by Joe to justify nondemocratic control of the League were similar to others more or less commonly accepted as valid. It was further pointed out that the League had to have a machine so set up that the enemy could not creep in and catch them unawares. Much was made of the difference in effectiveness between a *democratic army* and *an army fighting for democracy* . Eventually, however, it *was* the dictatorial

nature of the League's operation which, with other factors, contributed to its downfall, and Townley's.

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It was not until after Joe had been convicted, in the Goodhue County court, of violating the Minnesota Sedition Act that the anti-Townley revolt flared again. The background story is, according to Joe, that at an earlier League inner council meeting it was suggested that someone be selected to test out the sedition law in the courts. Joe volunteered, and Townley agreed. And although Joe had not intended his Kenyon speech to become the central factor in a *cause célèbre* , it turned out that it served the purpose admirably.

Later, however, after Joe's conviction at Red Wing, the question cropped up as to whether the League could afford to back up those of its leaders who were given sedition sentences. Townley was inclined to believe not. Joe leaped into the fray with a signed statement, which he submitted to Townley:

“The only defense of the League should be a continuous and daring offensive,” Joe wrote. “To remove a worker from a responsible position and retain him in any relation whatever to the League, however subordinate the position may be, serves no good purpose, but is construed by our opponents as camouflage.

“Removing from activity workers of the League under conviction encourages the opposition to a continuance of the policy of persecution through arrests, indictments, and convictions on frame-ups and perjured testimony. The League has already taken the stand, in the *Leader* , that the convictions (of Gilbert, Randall, and Martin) were the result of a frame-up. To repudiate the victims of the frame-up now, would be inconsistent and an admission that the published statements were false.”

Joe's statement, however, did not change the Townley mind. A week or so later, he was removed as organization manager and demoted to the job of directing the League's

Consumers United Stores adventure in North Dakota. Confronting Townley in his office, one evening, Joe did some plain talking to the League's ruler.

“Until this case (in Goodhue county) has been finally settled,” 147 Joe told him firmly, “I'm remaining on the League payroll.”

“Is that a threat?” Townley scowled.

“You can construe it any way you damn please,” Joe answered. “I'm just telling you what you have to do.”

Joe did remain on the payroll, and the League did continue to finance the legal fight. At this stage, it could hardly have afforded to do otherwise. Banishment of Gilbert to North Dakota, however, led directly to the revolt. Joe prepared a letter to Townley in which he reversed his previous stand, protested against the autocratic management of the League, and suggested methods of letting the members have their say-so about the League management.7

7 Signers of the document included, besides Joe, Arthur B. Gilbert, Walter W. Liggett, N. S. Randall, Murray King, J. E. M. Jauncey, W. G. Roylance, George D. Brewer, Cart Beck, Charles R. Barnes, O. J. Nelson, W. S. Shoemaker, W. H. Quist, Alfred Knutson, L. J. Duncan, Arthur Williams (who had succeeded Joe as organization manager), O. M. Thomason, and David Paquin.

“At the inception of this organization,” wrote Joe in this letter, “it is possible that an autocratic policy was productive of the greatest efficiency in promoting rapid growth. But the time has now arrived when the size of the organization, and the complexity of the problems with which it has to deal, make the continuance of such policy unwise and prejudicial to its further growth and expansion.

“It will be better for the present management and better for the security of the League if the necessity for a change is recognized and instituted by you...;. We, workers in the National Nonpartisan League, recognize your ability. We admire your qualities of leadership.... But if the League is to become national in fact, as well as in name, it cannot continue as it now is, essentially a one-man movement. It must be made representative as concerns both workers and members, and unless it is made representative it will certainly fail.”

It was then proposed that “an administrative board of seven 148 be created to serve until such time as a national executive council shall have been elected by the membership,” and that “not later than the 15th of November, calls be issued for State and national conventions at which officials of the League and the national executive council would be elected for one-year terms.” This elected executive council, then, would take the place of the temporary administrative board of seven, as well as of the existing self-perpetuating national executive council (Townley, Lemke, and Wood). It was also proposed that state and national conventions adopt by-laws and a constitution.

Townley received the letter immediately after his return from North Dakota, where the League had won another smashing victory in the State primaries. He must have been feeling rather invulnerable, for his answer was to abolish at one stroke the entire publicity department, of which W. W. Liggett was the head, and in which many other signers of the document were employed, and to shift most of the others to lesser jobs.

Joe, of course, had already been dealt with. But he was further made to feel the depth of his new League station in *The Nonpartisan Leader's* write-up, in July, 1918, of the State Supreme Court's decision in the war resolutions case. It will be recalled that *both* Townley and Gilbert were indicted for responsibility for the League's war views. In truth, Joe had had much more to do with the war resolutions than his boss. But when the Supreme Court handed down its decision finding the League not guilty of disloyalty, Joe was in the organization's doghouse for having himself been found guilty of disloyalty. The *Leader* , then, as Townley's official mouthpiece, anounced on its front page: “Indictments Against

A. C. Townley Thrown Out of Court; Complete Vindication of League Head and Organized Farmers in Alleged Disloyalty Prosecution."

Joe Gilbert's connection with the case was buried far, far down in the story. Joe was now an embarrassing liability. The less said about him, the better.

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Despite the roughshod manner in which Townley dealt with Joe and the other League rebels, their action apparently had some effect. And some of the reforms urged by Joe and his fellow-dissenters were put into effect by Townley. On December 3, 1918, the first national convention of the Nonpartisan League was held in St. Paul, with delegates present from thirteen States. The convention approved permanent "articles of association" which slightly modified the procedure of naming the all-powerful national executive committee. Instead of the committee's being absolutely self-perpetuating, the method was changed so that, although two members of the committee named the third each year, their selection was subject to the approval of the national committee, consisting of the executive trio and the chairmen of the thirteen State committees.

Under this plan Townley was reelected unanimously, at the convention, to the executive committee, but announced that he would not consider himself elected without a referendum of all League members. The *Leader* explained that he took this action "due to the widespread and bitter attacks on Mr. Townley personally as a leader of the organized farmers, and to the charges of the League's enemies that he was a 'dictator' and that League members had no voice in choosing him."

Recognizing the seriousness of some of these charges, the *Leader* , in its report of the convention, made much of the sudden swing to democratic methods. The account carried such heads as "Members to Pass on Choice of Leader," "Townley Insists on Vote of Whole Membership," and "Articles of Association Are Adopted; Full Power Vested in the Membership."

At any rate, the referendum on Townley showed what a powerful hold this lean, angular son of the soil still had on the affections of the farmers of the Middle West. The vote was in his favor, 100 to 1.

A few weeks after the League went “democratic,” came the decision of the Minnesota Supreme Court on the appeal against 150 Joe's conviction by the Goodhue County court of violating the sedition law. The high court upheld the lower court, in effect reversing the stand it had taken on the war resolutions case. In July, with the war still on, the court had found Gilbert and Townley not guilty of disloyalty charges, so far as the written word was concerned, but in mid-December, *after* the war, it decided that Gilbert was guilty of disloyalty on the basis of what somebody said he had said.

In the July decision, the Supreme Court had gone out of the way to emphasize that the federal authorities had not seen fit to take any action against Gilbert or Townley or the League and that, “in reality, it is the Federal Government and its authority that are challenged by seditious conduct, rather than State authority, and the courts thereof constitute the proper tribunal for the establishment of rules guiding such cases.”

Neither, of course, had the federal authorities seen fit to take any action against Gilbert or the League in the Goodhue County case, but this fact apparently was not considered, or else was outweighed by other factors and pressures.

Apparently, the Supreme Court ruling was made on the assumption that Gilbert did say the things he was charged in the indictment with saying. There was little examination of the circumstances surrounding the “parrot chorus.” The court reviewed only the judicial errors which Joe's attorneys, in the appeal, alleged were made in the district court.

Arguments in the appeal had leaned heavily on the favorably decided war resolutions case.

“...the unbiased mind is irresistibly forced to the conclusion,” the argument for Joe stated, “that Gilbert's talk was nothing more or less than an attempt to orally give the same expressions, views, and propaganda as are expressed in the literature held by the Supreme Court in said case (Townley-Gilbert) to constitute no offense under said Chapter 463 (the Sedition Act).”

It was pointed out, too, in connection with the “parrot chorus,” 151 that testimony based on recollections of conversations or language used by other persons is inherently weak, and that “our courts have always held that exact similarity of statements is untrue to human experience and should be rejected.”

The State's high court held, however, that it made no difference whether Gilbert intended to obstruct enlistments or not. Statements made by him, the court held, would, if believed, naturally discourage enlistments and constitute a violation of the law, and therefore Gilbert was guilty.

The League's attorneys immediately proceeded to appeal to the United States Supreme Court. The appeal was received by that court during its October term in 1919, but a decision was not handed down until December, 1920.

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15 Convicted Again

After being fired as organization manager, Joe caromed unhappily about from League job to League job for nearly a year. He had never believed in the League's Consumers United Stores project in North Dakota and, even before it was started, had told Townley it would not work. In those days, Townley and his wife occasionally would drive around to the Gilbert home in the League president's big Cadillac and take the Gilberts for a ride into the country, the men in the front seat, the women in the back. On one such occasion, Townley had laid the whole store scheme before Joe and asked his Opinion. The plan was

to establish, all over North Dakota, stores where farmers could buy groceries and other supplies at only ten per cent above the wholesale price. The company was to be financed by the sale of “buyers' certificates” to farmers; control was to be kept firmly in the grasp of Townley.

Joe declared that in his opinion it was a great mistake, and for two reasons: first, it would intensify the fight against the League on the part of the small-town merchants and their townspeople friends; and, second, it would be a difficult, if not impossible, task to obtain on short notice the necessary personnel qualified to carry on such a large-scale enterprise.

“Oh, money will do anything,” said Townley, confidently.

“I think you're wrong,” warned Joe.

“Well, I'm going ahead anyway,” answered Townley stubbornly, and thus the matter was settled.

It may have been the memory of this frank speaking on the part of Gilbert which impelled Townley, when he punished him for being convicted of disloyalty, to relegate him to the store enterprise. In any event, Joe's foreboding was borne out. The company subsequently had to be liquidated.

On another assignment, Joe took charge of a string of county papers, in North Dakota, sponsored by the League. This did not last long, either. He was superseded by Walter Liggett. One day, at Fargo, Joe confronted Townley.

“Why do you have me do first one thing, then another?” he asked the League's ruler. “Why don't you leave me in control of one thing long enough for me to carry it through? Do you think I'm not capable?”

“No, that's not the reason,” Townley replied. “I think you are just as capable as—” and he named several other men.

“Then what is the trouble?” Joe demanded.

“You hug the shore too close,” replied Townley, enigmatically.

“By which you mean that I won't give myself to your fool ideas and place myself in jeopardy on your account?”

Townley made no reply, and the conversation ended.

In June, 1919, Joe, whether Townley liked it or not, shot into the spotlight again. For a second time, he and Townley were tried together for violation of the Minnesota Sedition Act. This time, the indictment had been returned in Jackson County, scene of the parrot auction, following Joe's attempt, at Lakefield, to break the ban on League meetings in January, 1918. And this time, the two men were accused in the indictment of having “ *conspired* to teach and advocate that men should not enlist” in the armed forces. The indictment had, of course, been returned before Joe's demotion.

There was no particular legal reason why the case should have been tried in Jackson County. The only testimony relating to events which actually occurred there was that concerning Joe's activities at Lakefield. But there existed at Jackson, as C. R. Johnson pointed out in the *New Republic* , “the unusual combination, as rural conditions go, of a most active and technically proficient prosecuting attorney (E. H. Nicholas) and a judge (E. C. Dean) who adds a good knowledge of the strategy of procedure to an inflexible temper and a determination to see justice done as he interprets it, even though the heavens fall.”1

1 *New Republic*, Aug 6, 1919, pp. 18–19.

Nicholas, too, was said to have considerable political ambition, and the publicity to be gleaned from the trial certainly could not harm his chances to be the Republican candidate for the office. of State Attorney General. He had been mentioned for the office more than once in the press and, taking his cue, he seldom failed to condemn the League at political and other public gatherings.

There can be little question that the charges against Townley and Gilbert, heard months after the war was over, were of the same political origins as those on which Joe had been convicted in Goodhue County the previous year. It may have been the successful conviction in that case which led to this belated postwar attempt to “get” Townley, as well as Gilbert, and so destroy the Nonpartisan League menace once and for all. The clincher was the Minnesota Supreme Court's surprising assumption of jurisdiction in matters of sedition, as shown by its affirmation of the district court's verdict against Gilbert the previous December. After that decision, the anti-Leaguers' slogan must have become, “Well, what are we waiting for?” All that remained was the “kill.”

The hands-off attitude of the Federal Government toward the Nonpartisan League, however, may have caused some misgivings on the part of its Minnesota opponents. About this time, two 155 significant letters from federal officials were made public. One was written by ex-Congressman Kent, of California, an appointee of President Wilson to the Federal Tariff Commission, the other by George Creel, Chairman of the Committee on Public Information.

After attending the League's State conventions in Minnesota and North Dakota, in the spring of 1918, Kent had said:

“I am going back to Washington and tell them what my eyes have seen and my ears have heard—that you are absolutely loyal.”

And in a letter to J. Weller Long, Madison, Wisconsin, secretary of the American Society of Equity, he wrote:

“The persecution of the Nonpartisan League shows the need of a united demand for our civil liberties, the right of peaceful assembly, and the prosecution, through the national government, if the States fail in their duty, of those who conspire against the Constitution. The persecution of the Nonpartisan League for alleged sedition is but typical of much that is being done by piratical, profiteering patrioteers, and by those who, through their ignorance, have been used as catspaws. There has never been a viler abuse of the sanctity of the flag than is represented by this ‘denouncing’ in the name of patriotism. The denouncing is being done by those fortified with the power of money and of privilege. It is well that our agricultural population is inherently careful and conservative.”

On May 13, 1918, in a letter to John A. Simpson, State president of the Oklahoma Farmers Union, which was unaffiliated with the League, Creel wrote:

“It is not true that the Federal Government is pressing the Nonpartisan League in any manner, or that the Federal Government considers it an act of disloyalty to be a member of this League. The Federal Government is not concerned with the political, economic, or individual beliefs of any organization at a time like this, insisting only that every organization, as well as 156 every individual, shall stand behind this war. The Nonpartisan League, by resolution and organized effort, has given this pledge of loyalty; North Dakota, controlled by this organization politically, has as fine a record of war support as any other Commonwealth in the Union. Mr. Townley is under indictment in Minnesota, and there is a very bitter fight being made on the League in that State by certain groups; with this the government has nothing to do, refusing absolutely to take part in these local differences.”

Yes, this attitude of the government may have caused hesitation in Minnesota political circles, but not for long. The invitation issued by the Supreme Court in December was too cordial. And so—the trial was on.

Whereas the Gilbert trial in Goodhue County had received scant public attention, the fact that Townley, president of the nation's most powerful farm organization, was now involved directly at Jackson produced a flood of national publicity. The trial, which began on June 25, 1918, and lasted nearly three weeks, brought newspapermen and magazine writers from all over the nation. The testimony was reported copiously in the daily press, albeit with a pro-prosecution slant.

The jury was chosen from among a venire of 144 men picked by the county commissioners. At the last election the League candidate in the county had fallen only 31 short of a majority, but in the total panel of 144 there was not one single Leaguer.2 And every juror came from a section of the county from which League speakers and organizers had been barred.

2 The jurors, all farmers, were: Ben Hill, of Belmont; Chris Jensen, Wisconsin township; H. A. Yeadicke, Alpha; Harry Andrews, Middleton; John Hartberg, Weimer; C. A. Johnson, Delafield; William Benda, Hunter; Orville Benson, Kimball; John Carlson, Middleton; Odin Hogge, Delafield; Otto Pelzel, La Crosse; and Frank Besser, Alba.

Prosecutor Nicholas and the Assistant State Attorney General, James E. Markham, based their case chiefly on statements allegedly made by Townley and Gilbert in various parts of 157 Minnesota, in 1917 and 1918, and on the League's printed war resolutions. As further evidence of disloyalty, they brought in the “high cost of living conference” sponsored by the League in St. Paul, in September, 1917, and the famous LaFollette speech. One of the State's star witnesses was Ferdinand A. Teigen, a former employee of the League, who had been charged with mishandling League funds, and who had spent much of the time since his discharge in “exposing” the organization. Perhaps his most damaging testimony was to the effect that Townley had told him, in the late summer of 1917, that “we are against this damned war, but we cannot afford to advertise it.”

The defense attorneys, headed by William Lemke as chief counsel, countered with a statement by William A. Anderson, a Minneapolis attorney, that Teigen had told him Twin Cities bankers had raised a “war fund” of $275,000 to fight the League, and that he (Teigen) was paid from this fund to write a book attacking the organization.

Using a cut-and-paste method, Nicholas scissored sentences out of various League statements on the war, and sought to stick them together so that they made disloyal, anti-war sense. In vain the defense attorneys argued that the Supreme Court of Minnesota had already ruled on these war resolutions, and that, further, federal authorities had approved them for sending through the mails. Judge Dean upheld the State's objections to admission of such testimony, and the jury was not told that those statements had already been passed on and found loyal.

In another ruling, Judge Dean refused to permit the defense to use witnesses and documentary evidence to prove loyalty. He declared that the defendants must limit themselves to a denial of the specific charges of disloyalty. Nor were the defense attorneys at any time permitted to introduce evidence designed to show that a conspiracy existed between business and political interests to take the life of the League. At the end of the trial, Townley dismissed his attorneys and asked for the right to plead 158 his own case to the jury. He reminded the judge that Debs, Nearing, Eastman, and the IWW's all had been granted that privilege. But the court denied the request and the trial was over.

In about two hours, just before midnight on Saturday, July 12, in the nick of time for the Sunday morning papers, the jury returned with the expected verdict of guilty. Each defendant was sentenced to three months in the county jail, and the sentences were later upheld by the Minnesota and United States Supreme Courts.

Altogether, about twenty cases were brought against Nonpartisan League men under the State's Sedition Law, most of them during the 1918 political campaign. In those hysterical days of “liberty measles” and “liberty cabbage,” it was easy to send American citizens to

jail, convicted of disloyalty for commenting critically on training-camp food, for urging the government to finance the Red Cross by direct taxation, or for making such statements as these:

“If you run across any of my relatives in Germany, shoot high,” from a German-American, jokingly, to a man entering the Army.

“No soldier ever sees those socks,” to a woman knitting.

“Are you permitted to shave a pro-German?” jokingly, to a barber.

The prosecution's victory over the Nonpartisan League at Jackson nearly boomeranged, so widespread had become the opinion that the trial was not a fair one. The *St. Paul Daily News* , for example, commenting on the case, a few days afterwards, was of the opinion that “the outstanding feature” was not the verdict of guilty but rather that “it was the regilding of the somewhat tarnished halo of martyrdom gratuitously presented to Mr. Townley and the League the year before by Governor Burnquist, Judge McGee, and Ambrose Tighe (attorney for the Public Safety Commission).... There has been left in the minds of a very large number of people an impression of a bitterly 159

Joseph Gilbert, defendant in sedition trial at Jackson, Minnesota

160 prejudiced court, and a wide feeling that this trial—staged before a judge who had previously admitted prejudice in declining to preside over a similar trial—savored more of persecution than of prosecution.”

There was also the comment overheard on the streets of Jackson, during the trial, by Judson King, head of the Popular Government League:

“Politics! Politics!” said one farmer to another, “It's all politics, and it's a-goin' to cost this county a mint o' money. They're going to convict 'em, but s'pose they do—it'll only make the League stronger.”3

3 *The Nation*, August 2, 1919, p. 143.

Indeed, in those still prosperous days of 1919, it did seem as if, the more the League was attacked, the stronger it became, for farmers were reported to be pouring their $16 membership dues into the League treasury at a 1500-a-week clip.

Though the fortunes of the League seemed not to be affected by the adverse verdict at Jackson, Joe's spirits were at low ebb. He had thrown himself heart and soul into the fight for the League and what it stood for. He had stood up defiantly against anything the League's enemies fired at the organization or at himself. He had believed that the League, even though it was run undemocratically, could help restore to many men their freedom and their self-respect. And he was more than willing to risk his own physical freedom, if that meant, in the end, freedom for others. He may have left Philadelphia back in 1899 in search of his own freedom, but certainly he was more convinced than ever, now, that no individual can find freedom and peace until everyone has found freedom and peace. To that end, he was willing to sacrifice much to keep the League alive.

But now, after the Jackson trial, it became more than ever evident that the League could have little more to do with Joe Gilbert. He was virtually ostracized, and the strain of his keeping 161 up a pretense of a connection began to tell. The League was no longer a weapon for freedom that was his to use. A little sick at heart, he resigned.

The greater goal, however, remained in view. Joe was too much of a philosopher, too much of a cooperator with the inevitable, to permit his convictions to become shaken for long. Almost immediately, he entered another movement which, though then in a crude, groping stage in this country, has since become a most promising force for freedom, the cooperative movement.

Shortly after Joe had joined the League, he had been invited to help launch an ambitious cooperative organization known as the Cooperative Wholesale Society of America. He had, of course, turned down the invitation but now, out of the League, he was ready to go to work for the cooperative, and his services were accepted with alacrity.

At that time, consumer cooperation was “in the air” in America. Long successful in Great Britain, it had attempted for many years, in vain, to get a foothold in America. Scattered cooperatives had existed for many years, but by no stretch of the imagination could they be said to constitute a movement. Frontier opportunities were too rich and too varied. The slow tempo of cooperative growth was not in the style to which mushrooming, get-rich-quick America was accustomed.

There was a tendency, too, for the citizens of the young democracy to put all their trust for cures of their economic and social ailments in political action. Elect the right man, they reasoned, and the right party, and everything would be fine. Then there would be no need for cooperatives, which were too slow to be effective anyway.

Nor was there too much understanding, even on the part of 163 cooperative leaders, of what cooperation was all about. They knew the theory of the traditional cooperative principles of democratic control—open membership, limited dividends on capital, and return of net savings in proportion to patronage—but when it came to applying those Rochdale principles (so called because they were first used in Rochdale, England) in real life, they were not too adept. Time after time, attempts were made to “Americanize” the Rochdale principles to fit them to the size and speed and impatience of the new nation, but without success. In an effort to meet the demand for immediate results, cooperatives were started with insufficient capital (some still are); they lacked efficient management; they went for the most part “on their own,” paying little attention to working together. There was little conception of cooperation as a movement in itself. Co-ops were looked on, for

the most part, as side issues, important only in so far as they benefited the organization which sponsored them.

But by the time of World War I, consumer cooperation, after knocking vainly at the door of the American people for nearly a century, appeared to be getting its foot inside. The frontier was no more. Get-rich-quick opportunities did not happen along quite so frequently. As the layers of society solidified, it became increasingly difficult to move from the log cabin or tenement area to the silk-stocking district. More and more, the “rich got richer and the poor got children.” The country at last was settling down to a bread-and-butter existence.

To many of those who were aware of the trends of the times, cooperatives seemed to offer at least a part of the solution to the economic problems which were becoming disturbingly chronic. True, cooperatives could not bring about a new economic system, or a new way of life, overnight, but they could at least *do* something about it besides talk, and if their progress towards a world of peace and plenty was slow, it was, claimed their leaders, sure. In 1915, in the United States, the nucleus of a movement 164 existed in the store associations which had been formed about 1905 by Finnish, Scandinavian, and Bohemian immigrant groups in northern Wisconsin and Minnesota; at Maynard and Fitchburg, in Masachusetts; at Dillonvale, Ohio; and at Chicago and Waukegan, Illinois. A number of flourishing farm cooperatives were beginning to take on “big business” proportions, with purchasing as well as marketing activities. Then occurred the event which may be said to mark the beginning of consumer cooperation as a national movement in this country. This was the founding in New York, in 1916, under the leadership of Dr. James P. Warbasse, of The Cooperative League of the United States.

The Cooperative League immediately became the clearing house for, and promoter of, national consumer cooperative activities. It handled no merchandise—only literature. Its business was entirely education, promotion, and integration. The League headed up the movement, gave it shape and direction, and began the Herculean tasks of: (1)

getting the story of consumer cooperation before the American people, and (2) getting the existing cooperatives to work together in a “many-co-ops-as-one-co-op” mold. It also tried to sift the genuine cooperatives from the spurious, and to lead back into the true paths of Rochdale those co-ops which had strayed off on the short-cuts of forced growth, overexpansion, top-down nondemocratic control, and neglect of membership education as to cooperative aims and methods.

In those reckless, younger days of the movement, too many cooperatives were organized by men impatient to “get the world by the tail before Christmas,” unwilling to wait any longer than New Year's day at the latest. “Educational program” was all too often just a name for “promotional” drive. The resulting cooperatives inevitably suffered from what might be termed concentration of understanding in the minds of a few. The few inevitably suffered from “hurry,” and could not wait for the many. The end would come when the few got so far ahead of the many, in their cooperative ambitions and “progress,” that they would one 165 day suddenly find themselves suspended in midair, with their erstwhile followers gone, and nothing for support but short-cut theories and grandiose plans.

The Cooperative Wholesale Society of America, for which Joe went to work as organization manager in the summer of 1919, was one of these cooperatives-in-a-hurry. The program of its organizers and leaders was honest and honorable but it was, alas, on too grand a scale. It was *for* the people, but it was not *of* the people. Its story is worth telling.

The Society, according to its own literature, was organized in 1917, as a result of an attempt by “Big Business” to crush the Equity Cooperative Association of Montana. The Equity Association had been set up as a wholesale by twenty stores and seventy-five cooperative grain elevators organized by farmers who were members of the American Society of Equity, and by workingmen who were labor-union members. The Equity is said to have marketed over 80 per cent of the apples grown in Montana in 1917, through

affiliated consumer cooperative stores. Their proud boast was that, from grower to consumer, these apples were untouched by the hand of a single middleman.

Alarmed by this demonstration of farmer-labor solidarity, the “Big Interests,” according to the cooperative society's story, brought on a labor lockout and a spectacular fight on the cooperative store in Great Falls, Montana. The store survived, but it was decided to form a super-wholesale organization, to get set for future attacks. And that super-wholesale was the Cooperative Wholesale Society of America. No “small potatoes,” it had an authorized capitalization of $1,000,000. Stock was sold to wholesale and retail cooperatives in shares of $1000 each. The owners included the Equity Cooperative Exchange of St. Paul, and its fifty cooperative grain elevators in Minnesota, North Dakota, South Dakota, and Montana; the Equity Cooperative Association of Montana, with its dozen stores; the Puget Sound Cooperative Wholesale Society, Seattle, and its half-dozen stores; and various 166 retail co-op stores in Minnesota, North and South Dakota, and Iowa.

The brains behind the super-wholesale were chiefly those of Findley A. Bennett, who had organized the Montana Equity, and who became the president and general manager of the CWSA, with “national headquarters” in the Pioneer building at St. Paul. His staff included C. F. Lowrie, treasurer and organization department manager, who had been president of the Montana Equity and chairman of the legislative committee of the American Society of Equity; and M. W. Thatcher (now general manager of the Farmers Union Grain Terminal Association) as manager of the auditing department. Thatcher was also a CWSA director, as was John Nummivuouri, of Superior, Wisconsin, first manager of the Central Cooperative Wholesale of that city, one of the oldest surviving cooperative wholesales in the entire country.

A map published in a CWSA brochure showed it as a national marketing and buying organization with State central agencies, in twenty northern States, stretching across the country from New York to Oregon; with general agencies in Massachusetts, New York,

Illinois, Wisconsin, Missouri, Minnesota, Colorado, and Washington; and with wholesale distributing agencies in Montana and Minnesota.

“The CWSA is to the American cooperators the same as the English and Scottish Wholesale Societies are to the European cooperators,” the brochure said. “We pool our buying power of general merchandise with twenty cooperative wholesale houses representing over 8000 retail stores and contract for the entire factory output, which saves to the cooperators all middlemen's duplicating profits and enormous selling expenses, less the actual expense of their own institutions.

“We supply in carloads potatoes direct from the growers to the cooperators. We handle flour and feed in carloads, also lumber direct from the cooperatively owned lumber mills in Washington, 167 and apples direct from the growers in Idaho, Washington, Montana, and Minnesota.”

No small business, this. And at first, in the lush war days and immediately thereafter, the CWSA appeared to be ”going places.“ Indeed, the *Montana Equity News* extolled the CWSA program as ”the greatest national marketing plan ever offered the public.“ On July 1, 1919, a surplus profit of over 30 per cent upon the paid-up capital was reported. By that time, however, ”bugs“ were beginning to appear in the organization, and when Joe Gilbert came along from the Nonpartisan League, that summer, he was welcomed as a lifesaver.

Joe decided that the stroke which would save the CWSA was to get J. M. Anderson, for ten years president of the Equity Cooperative Exchange, St. Paul, and one of the best known cooperators in the Northwest, to become president also of the wholesale, and thereby give it the prestige of his name and position. The Exchange, one of the CWSA stockholders, owned a half-million-bushel terminal elevator in St. Paul and a string of fifty elevators in the Northwest. It also did a mail-order grocery business with its members. Anderson was sufficiently interested—and sufficiently convinced by Joe that the CWSA could serve the Exchange members better than the Exchange itself, so far as mail-order

groceries were concerned—to agree to accept the CWSA presidency. He specified only one condition: that Joe should become the organization manager.

Bennett, at his wit's end, agreed to the changes. He resigned as president, in favor of Anderson, and Joe became organization manager in charge of starting cooperative stores throughout Minnesota, Wisconsin, and North Dakota, and as far west as Montana. Under Joe's leadership, this organization work was pushed ahead rapidly. The methods used give some clues, however, to what happened later. The procedure went like this:

Joe would go into a community with several professional stock salesmen, who did not necessarily know much about cooperation, 168 and get some influential farmers to sponsor the organization of a cooperative store, as well as serve on the first board of directors. A well-advertised public meeting would then be held, at which Joe would present already prepared articles and by-laws for adoption. At the close of his talk, one of the men, who had been interviewed beforehand, would move that the cooperative be incorporated. Everything would be settled, and the necessary papers would be signed before a notary, and filed.

Next day, while the salesmen were promoting stock in the new cooperative, at $100 a share, Joe would start negotiations for a store, usually with the owner of some existing business. Rarely was there any difficulty in persuading the owner to sell out, for he knew that the cooperative would start, whether or not he sold, and would probably take away many of his customers. In some cases, the owner of the store was employed as the manager of the cooperative, a practice which usually had results in this order: no true cooperative methods, no cooperative education, no membership interest, no new members, no new business, and, in the end, no co-op store. The more unscrupulous managers deliberately ran stores into the red and then, when the cooperators became disgusted and ready to give up, bought their stores back at a profit.

The organization of the cooperative and the stock-selling campaigns were almost always sure-fire successes. One of the few places where difficulty was met in obtaining a store was Bemidji, Minnesota, where shares totaling $30,000 were subscribed. An option was taken and $1000 paid down. Joe went to the bank, explained the proposition, and showed the notes taken on the stock. In addition, the bank would receive the mortgage on the store. The banker looked through the notes, remarked that they were 90 per cent gilt-edged, and said he did not think there would be any difficulty in securing a loan with them as collateral. Leaving the notes with the bank, Joe returned to St. Paul to await formal action by the directors. In two days, he received 169 the notes back by registered mail, with the information that the bank could not make the loan.

Joe returned to Bemidji to see what the trouble was, but could get no satisfactory answer. Two other banks also turned down the cooperative. It was evident that an attempt was being made to shoulder the co-op out. The cooperators decided, then, to have their president call a special meeting of the stockholders. It was a cold midwinter day, but the rooms of the local chamber of commerce were jammed with farmers who had bought shares. Also present were the storekeeper to whom the $1000 had been paid, the banker, and a number of other businessmen.

Presiding in the absence of the president, the vice-president (a director of the smallest bank in town) gave Joe a lukewarm introduction, and the whole situation looked ominous. Joe explained what had happened, as well as he could, but seemed to be getting nowhere. Then he turned to the storekeeper and asked him whether, in view of the situation, he would extend the time of the option. “Not a minute,” was the reply.

That gave Joe his cue. From then on, he played on the prejudice of the farmers against the business interests, and he began to get the desired effect. He pointed out that the merchants obviously had entered into a conspiracy against them, that banks exist to render a service but that these bankers in Bemidji apparently thought they were masters. He asserted that, if every one of those farmers drew out his money, the banks would have

to close their doors. When he told them that, come what might, they would get back every cent of their money, he got a rousing cheer. But, he said, that would be unnecessary, for he was going to stay right there in Bemidji to help them get their store. There was more applause. From then on, it was easy. Joe asked them to do this: “Go to your bank as individuals, never mind about the CWSA, and ask for $100; if you are refused, withdraw your deposit. They won't refuse you. Those of you who can, pay what you are able to on your shares now.”

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The response was instantaneous. As fast as receipts could be written, the money stacked up high on the table. Those who didn't have the money promised to carry out Joe's banking instructions. A few days later, two bankers called on Joe at his hotel.

“Mr. Gilbert,” said the spokesman, “we have decided to take your account jointly.”

Joe said he was very much pleased to have them do so, but that the terms would be different now. The bankers' jaws dropped.

“I mean,” he said, “that you will only have the notes as collateral, no mortgage on the store.”

The bankers accepted.

Although it was fairly easy to get the cooperative stores organized and under way (and they were started by the score), it was extremely difficult to keep them going. It was soon found that the cooperative is a plant which needs plenty of care after it begins to grow; and it was discovered, too, that when you try to force a cooperative to grow too fast, it is likely to wither away and die from too much handling. So with the stores of the CWSA. As Joe later was quick to realize and point out, they could not hope to succeed without educational care, of which they got none. The members had been sold shares, too, on promises of phenomenal savings. One of the CWSA leaflets, for example, promised—

quite sincerely, no doubt—“a saving in costs to the consumer of 40 cents on every dollar's worth of merchandise, and we are safe in saying 50 cents on every dollar, for we have allowed too liberal an expense on all three savings items: the wholesale of 10%, the retail of 20%, and the transportation of over 10%.” And the leaflet submitted detailed figures to prove the contention—all this, mind you, in addition to a 7% patronage dividend and 6% interest on shares.

It was all, of course, too good to be true. These tremendous savings were all on paper, and, as the actual operations of the 171 stores showed them to be *only* on paper, store patronage inevitably crashed. As quickly as new stores were organized, old ones were dropping by the wayside and going back to their former owners.

These various troubles brought on serious dissension in the CWSA and, in the summer of 1920, a number of directors, represented by Attorney Arthur LeSueur, brought suit to prove the insolvency of the organization and prevent further sale of stock. The CWSA, however, with James Manahan as its attorney, was given a clean bill of health in a decision announced in December, 1920, by the State Securities Commission. It was not healthy enough, however, to undergo the Combination of adverse publicity, internal strife, and lack of an educational program. The Cooperative Wholesale Society of America folded up in February 1921. It meant well, but it did not do well.

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17 The Supreme Court Considers Joe

Shortly after the Cooperative Wholesale Society was given a few more breaths of life by the State Securities Commission, came the decision by the United States Supreme Court which sent Joe Gilbert to jail for a year, in accordance with his conviction and sentence at Red Wing in May, 1918.

Seeking a reversal of the Goodhue County district court and the Minnesota Supreme Court in finding Gilbert guilty of violating the Sedition Act, Attorneys Frederic A. Pike and George Nordlin had contended that the statute was unconstitutional on two counts;

“1. The statute attempts to prohibit the exercise by citizens of the United States, who may chance to be within the physical jurisdiction of the State of Minnesota, of their inherent fight of free speech respecting the concerns, activities, and interests of the United States of America and its government;

“2. The statute is legislation on a subject within the exclusive province of Congress under the Constitution, and therefore prohibited to the State.”

In other words, the case went to the high court on this basis: Gilbert did not say the things he was charged by the “parrot chorus” with saying at that Kenyon bandwagon meeting in 173 August, 1917; but even if he had said them, the Act under which he was convicted is unconstitutional because it denies the right of free speech, and because it poaches on the legislative preserves of the Federal Government.

Authorities all the way from Homer and Socrates to Thomas Jefferson, John Stuart Mill, Daniel Webster, and Abraham Lincoln were quoted in support of the free-speech thesis. The court was reminded of such famous utterances as—

“To speak his words, is every man's right.”—Homer.

“The sun might as easily be spared from the universe as free speech from the liberal institutions of society.”—Socrates.

“If given to choose only one, a free government or a free press, I would choose the latter.”—Thomas Jefferson.

“It is the ancient and constitutional privilege of this people to canvass public measures, and the merits of public men. It is a home-bred right, a fireside privilege. This high constitutional privilege I shall defend and exercise in all places in time of war, in time of peace, and at all times.”—Daniel Webster.

“The cry has been that war is declared, and all opposition should therefore be hushed. A sentiment more unworthy of a free country could hardly be propagated. If the doctrine be admitted, rulers have only to declare war, and they are screened at once from scrutiny. In war, then, as in peace, assert the freedom of speech and of press. Cling to this as the bulwark of all your rights and privileges.”—William Ellery Channing.

“No State,” declared the Gilbert brief, “has the power to deprive citizens of the United States of a fundamental right.”

The United States Supreme Court, however, thought differently at that time. On December 13, 1920, by a vote of 7 to 2, it upheld the lower courts. The majority opinion, written by Justice McKenna, found that the Minnesota Sedition Law was constitutional, and that there had been no violation of the right of free speech. Justice Brandeis, of course, dissented. He held that the statute was unconstitutional, and that the right of free 174 speech had been violated. Chief Justice White agreed with Brandeis that only Congress has the right to enact such legislation as the Sedition Law. He wasn't so sure, however, about the free-speech angle. Justice Holmes, who was usually found with Brandeis in such cases, concurred with the majority decision but for a different reason, which he did not announce.

Six of the justices, then, apparently were of one mind, with Holmes, Brandeis, and White each having a different viewpoint.

Justice McKenna, in the majority opinion, wrote:

“The nation was at war with Germany, armies were recruiting, and the speech (Gilbert's at Kenyon, Minnesota, in August, 1917) was the discouragement of that—its purpose was

necessarily the discouragement of that. It was not an advocacy of policies or a censure of action that a citizen had the right to make. The war had been declared by the power constituted by the Constitution to declare it. It was not declared in aggression, but in defense of our national honor in vindication of both sacred rights of our nation and of our people.

“This was known to Gilbert, for he was informed in affairs and the operations of the government, and every word that he uttered in denunciation of it [the war] was false, was deliberate misrepresentation of the motives which impelled it, and the object for which it was prosecuted. He could have had no purpose other than that of which he was charged. It would be a travesty on the constitutional privilege he invokes to assign him its protection.”

Rejecting the argument that the State law violated the right of free speech, McKenna said that the right of free speech “is not absolute and is subject to restriction and limitation.” He observed that, in a previous case, “we said that the most stringent protection of free speech would not protect a man in falsely shouting ‘fire’ in a theater and causing a panic.”

Needless to say, the affirmation of Joe's conviction caused considerable cheering among opponents of the Nonpartisan 175 League. Approval was expressed publicly by Governor Burnquist, J. A. O. Preus, then governor-elect, Attorney General Clifford L. Hilton, and H. C. Libby, secretary of the Public Safety Commission.

“The conviction of Joseph Gilbert will meet with the approval of every patriotic American in the United States,” the *St. Paul Dispatch* quoted Burnquist. “The stand taken will do much to encourage public officials who desire to see the law upheld and enforced. The teaching of disloyalty during the war was inexcusable, and the decision of the highest court in the land, affirming the constitutionality of our State law, is and will be the source of much satisfaction to our loyal citizens.”

Governor-Elect Preus expressed the wish, according to the *Dispatch* , that Gilbert would “as a result of the sentence of one year mend his ways and become a good American citizen.”

Attorney General Hilton magnanimously pointed out in the same paper, that, in the prosecution of Gilbert, “the personal element in no way entered into the issue; a principle only was involved.”

And there was this editorial comment in another newspaper:

“Joseph Gilbert will receive mild punishment, only a year in jail. He can thank his stars that he was not brought to trial under the federal law relating to the same subject before Judge Landis, who imposed sentences as high as twenty years for similar offenses.... Gilbert will spend the winter, the fine spring and summer days, and until about Christmas, 1921, in the Red Wing or some other jail, with plenty of time to meditate on what his fellow citizens think of him.”

Well, apparently Justice Brandeis, one of Gilbert's fellow citizens and one of the greatest ever to wear the robes of a United States Supreme Court Justice, did not think too ill of him. For Brandeis took the position that Gilbert was convicted under a State law that is, “in fact, an act to prevent teaching that the abolition of war is possible.”

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“It abridges freedom of speech and of the press,” he asserted, “not in a particular emergency, in order to avert a clear and present danger, but under all circumstances.... The statute aims to prevent not acts but beliefs.”

Furthermore, Brandeis declared, “the law affects directly the function of the Federal Government. It affects rights, privileges, and immunities of one who is a citizen of the

United States, and it deprives him of an important part of his liberty. These are rights which are guaranteed by the Constitution and they are invaded by the statute in question....”

And Brandeis concluded:

“I have difficulty in believing that the liberty guaranteed by the Constitution...does not include liberty to teach, either in the privacy of the home or publicly, the doctine of pacifism; so long, at least, as Congress has not declared that the public safety demands its suppression. I cannot believe that the liberty guaranteed by the Fourteenth Amendment includes only liberty to acquire and to enjoy property.”

In his authoritative *Free Speech in the United States* , Zechariah Chafee, Langdell Professor of Law at Harvard University, devotes a thirteen-page section of his chapter on “The Last War Cases” to a discussion of the Gilbert decision by the Supreme Court. He points out that, in holding the Minnesota statute unconstitutional because it interfered with a federal power, Chief Justice White, once a Confederate drummer boy, was supporting national supremacy as against states' rights, whereas Justice Holmes, who concurred in the majority decision, upholding states' rights, had fought in the Union army.1

1 *Free Speech in the U. S*., Chafee, Harvard University Press, 1941, p. 290.

On the free speech angle of *Gilbert* v. *Minnesota* , Chafee calls attention to this issue: whether the Supreme Court had the right to say yea or nay to State laws limiting freedom of speech. He points out that the first ten amendments to the Constitution (the 177 so-called Bill of Rights amendments) affect only federal action, and that heretofore the Court had taken no action against any State suppression of these rights.

“Gilbert v. Minnesota,” asserts Chafee, “marked a slight change from this older attitude, and thus forecast its complete abandonment.... Justice McKenna, for the majority, said to Gilbert in effect: ‘I don't know whether or not I have the power to review your conviction on free-speech grounds. Well, I'll assume, for the sake of argument, that I do have it. And so,

after thinking over your whole case carefully, I'll have to decide against you on the facts anyway.'"2

2 *Ibid.*, pp. 294–5.

But, continues Chafee, "still more significant is the opinion of Justice Brandeis...because this is the first time that any member of the Court, in any kind of published opinion, squarely maintained that freedom of speech is protected against State action by the United States Constitution. Not, of course, by the original document of 1787, but by the Fourteenth Amendment, ratified in 1868, section 1 of which (with the most relevant words italicized) reads in part:

"'No State shall make or enforce any law which shall abridge the *privileges or immunities* of citizens of the United States; nor shall any State deprive any person of life, *liberty* , or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.'"3

3 *Ibid.*, p. 295.

Concludes Chafee:

"In view of the test of freedom of speech declared by unanimous opinion of the Supreme Court in the Schenck case,4 it would seem clear that Gilbert was improperly convicted, since the Minnesota statute required no clear and present danger of

4 In the Schenck case, in 1919, it was agreed by the Court that "the question in every (freedom of speech) case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils (such as interference with Congress' war power) that Congress has a right to prevent."

178 interference with enlistment as a basis of guilt, nor did his speech create such a danger...

“Nobody then realized that *Gilbert* v. *Minnesota* was the first glimmer of the new day which was to dawn with *Gitlow* v. *New York* . At the time, the Gilbert case was only one more disappointment of the hopes that the Supreme Court would protect free speech against encroachment.”5

5 *Ibid.*, pp. 297–8.

In 1925, in *Gitlow* v. *New York* , the Supreme Court unanimously declared what Justice Brandeis alone had dared to say, respecting the Fourteenth Amendment in *Gilbert* v. *Minnesota* , that “we may and do assume that freedom of speech and of the press...are among the fundamental personal rights and ‘liberties’ protected...from impairment by the States.”

And in June, 1944, the Supreme Court, reaching another free-speech milestone in the midst of World War II, ruled in two cases that any American citizen has the right to criticize his government and its officials in time of war, as well as in time of peace, so long as the criticism does not violate the “clear and present danger” principle. The cases involved two men who had, the Court said, uttered “gross libels” against the President, denounced England and the Jews, and mailed “flagrant appeals to false and sinister race theories” to officers in the armed forces. One man had compared President Roosevelt unfavorably to Hitler and called American democracy “a farce.”

The Supreme Court's decisions upholding the right of these men to criticize their government and its officials were indeed a far cry from its thinking in 1920. But it is certainly within reason to assume that Joe Gilbert helped shape those processes of history which caused the Court to arrive at its present advanced position.

On February 5, 1921, Joe Gilbert entered the Goodhue County jail at Red Wing to expiate his sin of sedition against the State of Minnesota and to continue, from his cell, to make his signal contribution to the principle of free speech and the cause of freedom.

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18 Free Man Goes to Jail

It was a pleasant Saturday afternoon, that February fifth, when Joe Gilbert arrived in Red Wing by automobile from St. Paul, accompanied by Will Treseler, Frank O'Brien and A. E. Blazier, former associates in the Cooperative Wholesale Society of America. He was “registered” for his visit of a year in the Goodhue County jail by Sheriff John A. Anderson. Waiting to be shown to his “room,” he was interviewed by a reporter for the *Red Wing Daily Eagle* , who seemed rather surprised to find that Gilbert “is a pleasant man to meet and not at all reticent in conversation.” Continuing to marvel, he added:

“Gilbert appeared to be quite contented as he sat in the sheriff's office. He chatted pleasantly with the sheriff, the deputy, and the *Daily Eagle man* , and was not at all bitter or revengeful in his remarks.”

“If the State of Minnesota thinks that it is right that I be kept in jail for a year,” Joe said, “why that is all there is to it.”

Sunday morning, the story of Joe Gilbert's jail entrance got the spotlight in all the Twin Cities newspapers. “Townley Organizer Begins Jail Term,” cried the eight-column page 1 banner of the *Minneapolis Tribune* , “Joseph Gilbert, War Seditionist, Enters Cell.”

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It was a two-story jail, with ten cells (five on each side of the hall) on each floor. Joe asked one favor of the sheriff.

“You probably won't have another boarder who will stay with you as long as I will,” he pointed out. “Put me downstairs, and put the transients upstairs.”

“But won't you be awful lonesome?” the jailer asked.

Joe thought not, and his request was granted. He had ten one-room apartments to himself and a combination bathroom-library, for there were shelves upon which books could be arranged. The prisoner was required to wear special prison clothes, and he was deprived of his watch and razor, though he was allowed to use the razor twice a week.

“You'll have to take a bath once a week,” the sheriff warned Joe, and he was somewhat taken aback when Joe asked to be allowed a bath once a day.

“Oh, we couldn't heat the water every day,” the sheriff protested.

“That's all right,” agreed Joe, “I'll take a cold bath.”

“Why, you can't take a cold bath in the wintertime,” exclaimed the sheriff—but finally consented.

Joe slept in a hammock slung between the walls of his cell. He could roll up his bed—and presto! His bedroom would become a dining room and, later, a study. Upon arising, he would take his cold bath, run naked up and down the “runway” between the rows of cells, and do some calisthenics. After “making his bed” he would sweep out the place and prepare for breakfast. His meals came to him under a big iron gate at one end of the runway, as if to a bear in a cage. He thought some of growling, to carry the similarity a bit further, but decided against it on the theory that his jailers might think he had gone quite mad.

After breakfast came his mail, including newspapers and magazines. He was permitted to have a small table upon which to place his portable typewriter, but he spent most of

his time 181 reading, his practice being to start in with the “heavy stuff” of science and philosophy, and then taper off with poetry, fiction, and drama. His only light, however, was the daylight which came through the windows of his cell. When it became too dark to read, he went to bed. Although all this reading was a Godsend in helping the year to pass, it may well have contributed later to the loss of his eyesight, especially that part of the reading which was done in the half-light of the evening.

When he had visitors, the sheriff was decent enough to permit him to talk with them in the office. Indeed, Joe's only complaint was that, during the year in Red Wing, he was not once let out into the fresh air.

The attitude and habits of his prisoner, rather different from those of other prisoners, apparently preyed somewhat on the sheriff's mind.

“I'd rather have the worst criminal in the country in here than you,” he told Joe one day. “Why?” Joe asked. “Well, you're different from any other prisoner. You treat this as kind of a joke.” “Well, isn't it?” demanded Joe. “Here I am, an able-bodied man, willing to make my own living, but the State of Minnesota says ‘No, you can't do that, we're going to take care of you.’ And so they lock me up here and give me some nice, comfortable apartments, good food—and *you* to wait on me.”

Sheriff Anderson turned on his heel and walked out.

Joe's friends, however, were not satisfied for the State to take care of him. They sought, first, to persuade him to apply for clemency to the Board of Pardons. He refused, point-blank. In a letter from his jail “office,” he wrote Attorney Nordlin on March 28, 1921:

“My conception of the function of the Board of Pardons is that of the exercise of equity in cases presented to it, by extending clemency to convicted persons when in its judgment conditions justify it, thereby furthering the ends of justice. Be this as it may, in no circumstances would I demean myself by 182 begging for pardon when I know that I

have not committed a wrong against my fellowman. If regaining my liberty depends upon stultifying myself, then I prefer to remain a prisoner indefinitely.

“I fully realize that such an attitude as I take does not ordinarily commend itself to the purely legal mind as good sense, but I have long since disregarded what others think of my conduct. It is more important to me what I think of it, and I know that nothing worth while is ever gained by compromising one's principles.”

He followed this up with a letter to Attorney James Manahan, who had drawn up the application to the Pardon Board.

“You will surely appreciate the fact that peace of mind is to be valued above all things,” he wrote, “and that I could not enjoy this were I to be false to myself. If Irishmen can die for principle then surely there are some Englishmen who do not fear the inconvenience of being in jail.”

Nevertheless, petitions for Gilbert's pardon were circulated widely, and obtained thousands of signatures. The *Minneapolis Star* fought hard to end his imprisonment, and daily printed petition blanks to be signed and sent in.

“If it is right that Mr. Gilbert should remain in jail,” wrote Herbert E. Gaston (later an undersecretary of the United States Treasury), in the *Star* , “it is right that others of like views should join him there, and, in view of our newly enriched knowledge of the nature of war, it is probable that there are not jails enough to contain all who hold to his views.

“Mr. Gilbert is a man past middle life and a poor man. He has worked all his life for ‘causes.’ He has given service to humanity all his life in the particular place where it seemed to him he could do the most good. He is a man of irreproachable personal character and the most upright life. It is absurd to speak of any ‘danger to the community’ in releasing him.”

On April 26, the Pardon Board received the thousands of 183 petitions and heard pleas for Joe's release by Manahan and, surprisingly, by Ambrose Tighe, who was attorney for the State Public Safety Commission during the wartime disloyalty prosecutions.

“Mr. Gilbert is a poor judge of actions, not a bad man, and surely not disloyal,” Mr. Tighe said.

But the Board of Pardons was composed of Governor Preus, Attorney General Hilton, and Chief Justice Calvin Brown, and they could not see why justice would be served by granting the pardon. It was Preus, incidentally, who had piously hoped that Joe, during his year in jail, would develop into “a good American citizen,” and it was Hilton who had said that “the personal element in no way entered into the issue,” that only a principle was involved. In this imprisonment of a free man, in the third year after the end of the war, a principle was involved, certainly, but it is doubtful whether Hilton, or Preus either, was aware of just what it was.

Joe, meanwhile, kept on with his daily grist of reading and writing. In his frequent letters to Julie, he made special efforts to be of good cheer.

“I received your letter and was mighty well pleased to know that everything was so well with you,” he wrote her, “and that you are not such a weak creature as some other women who suffer because they have not yet learned how to use their mind. I feel satisfied that you are realizing what a wonderful thing it is to develop one's mind and spirit so that the body is not the victim of every little untoward event that occurs.”

Explaining his own feeling about being imprisoned, he told Julie:

“The real life is within us, and the beauty of everything is that no one can cage our spirit but ourselves. They may shut up my body, which at the same time they have to provide for, but my spirit and mind are as free as ever, and so what, after all, does this little inconvenience amount to? It has caused us to 184 realize more than ever the number of

friends we have, and so you see the old law of compensation is ever at work, the continual play of forces, loss in one direction, gain in another."

In another letter to Julie, he quoted the sentiment from Euripides that "man's best possession is a sympathetic wife."

"Sympathy comes of an understanding love," Joe wrote, "and there is nothing sadder than where this is lacking between two who live together as husband and wife."

In a friendly little difference of opinion with his wife's statement that letters have more of a personal touch when handwritten, he wrote (by typewriter):

"After all, is not this simply because we are more accustomed to the other? It is something akin to our considering a sailing vessel more artistic than a steamship, Personally I prefer the typed letter to read as well as to write. I know that if it required as much effort to follow the conversation of some people as it does to decipher their writing, I would not greatly enjoy talking with them. Of course, this does not apply to your writing, but it does to some of our friends, doesn't it?"

It was toward the, end of the year in jail (in January, 1922) that Julie got a letter from Katherine M. Debs, wife of the famous Socialist. Debs had finally been released from the federal penitentiary at Atlanta, Georgia, where he had been confined for disloyalty during the war. It was a letter which the Gilberts treasured the rest of their lives.

"My dear Mrs. Gilbert," it began, "pardon this belated acknowledgment of your very dear and beautiful and touching letter, over which we have been moved to tears. There is the glow of a great soul in all the lines of your loving message. Unhappily I have had no chance to write, for since Gene's return the letters and messages and callers have been so numerous that there has not been a spare minute day or night. How we wish you could have been here on that wonderful and never-to-be-forgotten 185 night [when Debs came home]! The cause never seemed so great, so sublime, nor the comrades so beautiful,

almost divine. Gene was touched to the heart by your loving tribute. He always held your dear and loyal husband near to his heart, and I know he would be willing even now to share the remainder of your husband's sentence. But you are both so brave and lofty and philosophical that I am sure these days of trial and separation will have their blossoming and fruitage in a finer future and a still greater consecration to the cause. You will excuse this brief apology for a letter. There are hundreds that must have at least a bit of attention. Our love goes to you in full measure and we shall not be free while your husband is in prison.

“Katherine M. Debs.”

But Julie could not stand it alone for the entire year of jail. Her health had begun to fail as far back as the strenuous days in Seattle, in 1912. And, through the Nonpartisan League period, a recurring nervous condition became increasingly prominent. Nevertheless, the Gilbert home continued to be the scene of many social gatherings. Julie continued to be as gaily talkative and friendly as ever, and as adept at her special art of making people feel at home.

“We had company a lot,” Joe recalls. “Our place was a regular hangout, and as many as twenty or thirty people would be there at a time.”

One friend of the Gilberts remembered, twenty-five years afterwards, Julie's special way of making iced tea. She would pour hot tea over the ice, a trick which was supposed to step up the spirit and sparkle of the beverage.

Julie was intensely interested in Joe's activities, but probably only because they were Joe's, and not because of any great interest on her part in the activities themselves. Discussions of a serious nature were not her forte. She was concerned with economic problems only as they concerned her husband, and it was a personal, emotional, nervous concern. When Joe was in jail, 186 Julie was forced to limit her visits to him, because they were so difficult for her to bear emotionally. Finally, several weeks before the end of Joe's

imprisonment, Julie suffered a nervous breakdown and had to be under a doctor's care, with a nurse constantly in attendance.

Joe had many other correspondents, in addition to his wife. The Goodhue County jail probably had never had, nor ever will have, a resident with such a volume of “fan mail.” Letters to Joe Gilbert, care of the sheriff, came from some men and women whom he had never known; from others whom he knew only by reputation; and from Philadelphia friends he had not heard from since the day he had left for Seattle and the Alaskan gold rush, more than twenty years before. One such letter came from the old Single Taxer, Frank Stephens, who was now living in one of those idyllic single-tax communities, known as Arden, Delaware.

“You don't know how glad I was,” wrote Stephens, “when Walter Liggett told me in Washington, a few days ago, that the Joe Gilbert of whom I had heard so often as a radical leader is our Joe Gilbert of old times hereabouts. Congratulations on your courage and your success.”

André Tridon, the psychoanalyst, wrote to his “dear fellow rebel” and offered to send him all his books, an offer of which Joe immediately took advantage. Witter Bynner, the poet, was another correspondent, as were “radicals” of all shades and descriptions throughout the country.

Joe faithfully answered every well-wishing correspondent, but he still had plenty of time left for his daily reading, He kept a list of the books he read, a list which is intriguing evidence that everyone might well spend a year in jail as an inexpensive, intensive way to acquire knowledge. Under the head of *philosophy* , Joe's reading included such authors as Spencer, Comte, Hobbes, Nietzsche, Bergson, Jackson Boyd, and James N. Wood; under *history* , Henry Thomas Buckle, H. G. Wells, James Bryce, 187 and Zechariah Chafee, Jr.; under *psychology* , Freud, Dean Everett Martin, and André Tridon; under *essays and opinions* , Edward Carpenter, Bertrand Russell, Rabindranath Tagore, Bjorkman, and

George Bernard Shaw; under *drama* , Goethe, Shaw, Vernon Lee, Rose Berynd, Gerhard Hauptman, and Ibsen; under *poetry* , Walt Whitman, Swinburne, and Edwin Markham; under *fiction* , Theodore Dreiser, H. G. Wells, Shaw, George Moore, Henry James, Israel Zangwill, Sarah Watts, Richard LeGallienne, Henri Barbusse, Romain Rolland, Mark Twain, Remy de Gourmont, Sinclair Lewis, Vicente Blasco Ibañez, and John Dos Passos —truly an impressive list.

“If knowledge is power,” commented a friend, “then the argument for immediate release of political prisoners, federal and State, should appeal more directly to the present political regime upon an inquiry into the way in which the prisoners are spending their time.”

Not only did Joe Gilbert read, he also studied French, using a French grammar lent him by Amy Edmunds, a friend of Nonpartisan League days. He even wrote reviews of many current books — reviews which were published in the book sections of Sunday Twin Cities newspapers.

Discussing Bryce's “Modern Democracies” Joe commented:

“The people today in all civilized countries are expressing a desire, more and more, for economic equality, as political liberty is of little value unless it secures for men all they desire, as far as that can be done through the instrumentality of government in determining their social relations. Furthermore, it is very noticeable that democracy works best where there is least economic inequality, notably in Switzerland, Australia, and New Zealand.”

Writing prophetically on *Through the Russian Revolution* , by Albert Rhys Williams, Joe expressed his feeling that “there has arisen in Russia a powerful spiritual force destined to affect this civilization as did the rise of Christianity affect that of the Roman.... Whatever one's personal views may be in regard to 188 the fight or wrong of this revolution, it is one of the great facts of history, and should be understood as such.0 Russia is a factor to be reckoned with in the affairs of the world.”

Of Sinclair Lewis's *Main Street* , Joe wrote that it portrayed “with camera-like fidelity the superficial, mediocre, but dominating characteristics, not only of Gopher Prairie, but of American urban life in general, for cities are but enlarged replicas of the small town.”

Those characteristics, Joe said, are “love of power as measured in terms of money, ostentatious display, and a corresponding lack of knowledge, together with intolerance towards all progressive ideas. Power, not beauty, or wisdom, or understanding, is that which is most sought after and respected in this civilization. The doctrine of democracy teaches that the acquisition of riches is possible to everyone, consequently those lacking possessions are regarded by most people as being in some manner defective.”

Yes, Joe was making excellent use of his time in jail. He was deepening his understanding in a way which would never have been possible otherwise. So, after a year in the Goodhue County cell, and three months in the Jackson County jail (for his conviction, with Townley, on the sedition conspiracy charge), he came out, telling newspapermen:

“I never felt better in my life. My imprisonment has given me time to do things I could never have found time to do otherwise. I have taken an intensive course in history, science, and philosophy, which is a thing I have wanted to do for a long time. My imprisonment was the height of nonsense. It was so childish that I refused to become incensed about it and turned it into a period of study and rest.”

Wrapped up in that statement, you have much of Joe Gilbert.

19 Dead End Street

Joe came out of jail, jobless, in the late spring of 1922, but a man as resourceful as he does not take long to find work. There was in Lincoln, Nebraska, a weekly paper of statewide circulation, called the *New State* . Organized on a membership basis among members of the Nonpartisan League, it originally was meant to become a daily. A. C.

Sorenson, an attorney who afterwards became Attorney General of Nebraska, and who was a friend of Senator Norris, was the business manager; a professor from the University of Nebraska was the editor.

At the time Joe appeared on the scene, the paper was struggling to clear some rather high financial hurdles, the board of directors was dissatisfied, and drastic changes were overdue. The result was that Joe was appointed both editor and business manager. For a time, the change appeared to be doing the *New State* some good, and it was partly through the paper's influence that the Nonpartisan League remnants in Nebraska were able to help elect Charles Bryan as Governor and Howells as United States Senator.

But that same fall, the paths of Joe Gilbert and A. C. Townley crossed once more, and again Joe was out of a job.

Townley had served his three months in the Jackson County 190 jail before Joe, and had attempted to pick up where he left off as head of the National Nonpartisan League. But things were not the same. Farm prices had collapsed in 1921, and the League suddenly found that its financial foundations had too much of the “Cinderella” about them. The postwar boom had boomed out. The clock struck twelve—and then came the “bust”! Hard times on the farm meant, of course, that the farmers no longer had money they were willing to pay to the League. The reforms which League-elected administrators and legislators had been able to put across did not bulk very large in the eyes of discouraged farmers who saw their wartime riches turn to peacetime rags. And the League saw a sharp drop in an income which had reached a total of several million dollars a year. In addition, many thousands of dollars in postdated checks could not be collected. The League virtually ceased to exist as a national organization. The Minnesota headquarters was closed. Ownership of most of the League newspapers was sold.

Inevitably, factional strife developed. And at the North Dakota State convention of the League in the spring of 1922, with increased demand for more local autonomy at the

expense of the national organization, the Townley era came to an end. He was ousted, said *The Nation* of June 14, 1922, because of the increasing clamor for self-rule, “as well as doubt whether Townley had the qualities of statesmanship to be intrusted with dominance of the organization in the future such as he has had in the past.”

“Mr. Townley is still comparatively young,” *The Nation* added, “and we do not believe that his services to the farmers and country are ended.”

The Nation , it turned out, was wrong. Although Townley made sporadic attempts to come back, he could never make it. He ran for the governorship of Minnesota in 1928, on the Farmer-Labor ticket, and he tried for the Republican nomination for United States Senator from North Dakota in 1944, but each time with pitiable results. The once great and powerful leader sank into 191 obscurity as quickly as, a few years previously, he had leaped into national prominence. He retired to a quiet farm life, and, on those few occasions when he appeared at public gatherings, he seemed to be a soured, embittered, disillusioned man.

The Nonpartisan League, however, did not have such an unhappy ending. Although its life as a national organization was over, it continued to have influence in several States, including Minnesota. In the latter State, the League, which under Townley had shunned the idea of becoming an out-and-out political party, did a quick about-face and in 1922 formally entered the lists with its Laborite allies, as the Farmer-Labor party. That year, the Farmer-Laborites elected Henrik Shipstead to the Senate (over Frank B. Kellogg) and five of the ten Minnesota congressmen. It was the first significant victory for a “third party” in a national election since the days of the Populists. It was the beginning of a Farmer-Labor era which, under the leadership of the late Floyd B. Olson, dominated Minnesota politics for a decade. With Olson's death, however, in 1938, factional quarrels and communist infiltrations, damaged the party and led to its union with the Democrats in 1944. During its twenty-two years, it had cut one of the widest and most distinguished swaths of any American “third party.”

Now, back to the Townley-Gilbert clash in Nebraska. In one of his early comeback attempts, Townley conceived an organization called the Producers' Alliance. To further his plans in Nebraska, TownIey needed the *New State* . Joe, at this time, was proposing that the paper be kept alive by gathering in sufficient additional funds with another $5 membership fee. Three of the five directors appeared to be favorable to this plan, rather than to the one which TownIey presented, and under which he would become manager. Well, the story is that a Townley emissary was able to keep one of the directors drunk for three days in a hotel room, long enough to get him to sign papers committing himself to the TownIey scheme. This made the final vote three to two 192 against Joe, and the outcome was that Townley took Joe's job..

Joe had the satisfaction of seeing the fulfilment of his prediction that the paper would fold within a few months, under Townley.

The next ten years stand out as a queer sort of intermission in Joe Gilbert's career. He seemed stalled. His career had come to the end of a dead-end street. He himself was able to find a job here and a job there, but, for the most part, his talents remained unemployed. Indeed, in those futile, disheartening nineteen-twenties, there seemed to be no progressive movement or cause which could offer genuine, worth-while work for his organizing and promoting capacities.

For awhile, he edited a weekly paper in New Ulm, Minnesota. He published a weekly county newspaper and operated a job printing plant in North Platte, Nebraska. He campaigned for the elder Bob LaFollette for the presidency in 1924. (Entirely on his own, he financed his way around the State by taking up collections, as in his old Socialist days.) He managed and edited the *Nebraska Craftsman* , a labor paper, for several years, financing it mainly through selling quantities of advertising for special editions. He put out a “shopping guide” sort of paper in Omaha for a few months. Back in Lincoln he sold some kind of gas-heating burner which a friend had invented. (He invested money in the

contraption himself, and lost everything but his shirt early in 1930.) And he sold a public-speaking course devised by a friend for business and professional men.

Most of these projects were hardly worthy of Joe. An incident occurred while he was publishing the *Labor Union Herald* at North Platte, however, which showed that the real Gilbert was still there. The Ku Klux Klan was going strong in Nebraska in those days, and Joe ran an item in the paper about one of their nuisances. A number of Klanners had marched into a church in their hooded regalia and handed two envelopes to the pastor. One contained money for the church, the other contained a request to sing “America,” with which the pastor complied.

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Joe commented editorially, however, that it would have been more fitting if the minister had demanded that the Klanners remove either their hoods or their presence from the church. Before the paper came off the press, one of the directors found out about the comment and rushed excitedly to Joe, demanding that he stop the press and kill the editorial. Joe refused. If the board of directors chose to fire him, all right, but until then he proposed to put out the paper as he saw fit.

It turned out that three of the five directors were members of the Klan. The board meeting was a stormy one. The upshot of it was that Joe had to get out. He did, with honor.

It was one of the few times in his life, however, that Joe Gilbert felt really discouraged. Previously, he had hardly given a thought about tomorrow.

“You could drop me anywhere,” he said, “and I knew I could make a living somehow.”

Yet, here he was in North Platte, with no job, and with no money to finance a hunt for a new one. On top of that, Julie was so ill that it was impossible for him to leave her for long. That noble woman, meanwhile, had not the slightest fear as to Joe's ability to find a way out. She had a childlike faith that he could move mountains, and not the slightest doubt

that he would get the Gilberts on their feet again. In the end, however, for the only time in his life, Joe had to fall back on his friends. They responded quickly with loans, and the Gilberts went immediately to Lincoln, Nebraska.

Eventually, as the depression settled down for its long stay, Joe once again came into his own. As a resident of Lincoln, he interested himself in civic affairs and was a frequent speaker at various meetings, ranging from church gatherings to Chamber of Commerce sessions. He became a member of the hodcarriers' union, and was active in labor affairs. In the summer of 1931, he proposed that the mayor appoint a commission for stabilization of employment, with two representatives of employers, two 194 of the public, and one of labor. The mayor acted on the proposal, and named Joe the labor representative.

It was not long before the commission had convinced the City Council that funds should be appropriated to establish a municipal free employment service to supplement and replace the overloaded Community Chest relief agencies. Joe resigned from the commission, applied for the job of director of the employment service, and got it, as of September 1, 1931.

That same month, an underground movement was launched by business interests and servicemen's organizations to oust Joe. His newfangled notions about Society's responsibility to supply jobs to the jobless made him sound like a radical “bad man.” One day, in answer to a telephoned request, Joe called upon an attorney who, it turned out, had been employed to “investigate” the new employment-service director.

The attorney said he had been engaged by “certain prominent citizens” to get some information about Gilbert, but he refused to identify them further. Eventually, Joe was able to get hold of the attorney's report, which contained some entertaining reading.

“Whenever I asked Mr. Gilbert for any definite facts,” the attorney's report of the interview complained, “my question was generally parried and he would go off on a tirade against how unprincipled it was in my clients in making this investigation, that ‘my accusers’ should

‘come out in the open’ and face him...I explained to him time and again that the only interest of my clients was that of interested businessmen who were endeavoring to aid in the growth and betterment of Lincoln.

“I have talked with one informant,” the attorney reported, apparently horrified, “who actually saw him in jail in Minnesota, which informant states he would be willing to appear, if necessary, before the City Council or other body, and state such fact.”

The report piled up through five single-spaced typewritten pages to this climax:

“One informant states this man is one of the most radical men 195 we have in the community; that he is not a man who would go out and throw a bomb—that is, not yet—but one who is smooth enough, and has the brains to encourage others to oppose organized government. Practically everyone who has come in contact with him, with whom I have talked, describes him as a radical, and many state that he is an extreme, or red, radical. It is argued that he should not be maintained in the position he now has, because, although he can do no harm directly, yet his position gives him influence over the unthinking, uneducated laborer, and sets him up on a pedestal in their eyes, and places him in a position later to have them follow him as their leader, and that if a test ever came, he would be, beyond question, found opposing organized government, and the so-called capitalist class.

“On the other hand, the man is keen, bright, a quick thinker and talks well and fluently. He has the typical orator's style of delivery. I can see where he could easily influence the mob...The question arises, could not a better man, a more levelheaded man, one who has made a success in some business of his own, be found to head the unemployment situation in Lincoln?”

Joe got his enemies to come into the open, that next spring, at a hearing before the City Council on their demand for his removal from office. By that time, the charges had simmered down to accusations that the employment-service director had discriminated

against American Legion members in filling jobs, and that he had failed to keep the office open at all times on Saturdays, Sundays, and holidays.

Joe produced records to disprove the charges of partiality in placing men; and in regard to closing the office on week ends and holidays, he countered, “If I'm in the office, they say I should be out hunting jobs; and if I'm out, they say I should be in.”

The City Council refused to act on the request for Joe's discharge, on the grounds that the commission for the stabilization of employment had hired him and, if there was any firing to be 196 done, the commission would have to do it. The commission backed Joe, and it became a closed case except that Joe, having won the baffle, resigned as of the end of his year (September 1, 1932) to seek a more congenial atmosphere.

Thus Joe concluded what might be called his immediate “post-jail” life. It had been, for the most part, disappointing and unfruitful. It was a period of groping, of seeking a cause to fight for. Now, at last, ten years after coming out of his “cell of freedom” in the jails of Goodhue and Jackson counties, he again found what he was looking for. He again became connected with the cooperative movement, and this time it was the real thing. Once more he could speak his mind freely and, more important, speak it in behalf of a movement which at last was beginning to fulfill its promise of doing something about freeing man from his economic chains. Perhaps most important, he could once more experience, in becoming a cooperative leader, what he later described as “the supreme joy of expressing his own being.”

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20 Return to Cooperation

The northern states cooperative league was organized in March, 1922, as an educational federation of consumer cooperatives in Minnesota, Wisconsin, Michigan, and the Dakotas. The Northern States organization, a regional counterpart of The Cooperative League

of the U.S.A., of which it was a member, stressed “education” as “the very lifeblood of cooperation.”

“Largely due to the activities of the League,” it was stated, “the consumers' cooperative movement in the North-Central States is stronger and more active than in any other section of the country.”

The League included as members the three largest consumer cooperatives in the Central Northwest—Midland Cooperative Wholesale, Minneapolis; Farmers Union Central Exchange, St. Paul; Central Cooperative Wholesale, Superior, Wisconsin.

During his Lincoln days, Joe Gilbert had subscribed to *The Cooperative Builder* , at that time the official organ of the Northern States League, as well as of Central Cooperative Wholesale, It was as his directorship of the Lincoln Municipal Employment Service came to an end that Joe decided to try to renew his connection with cooperatives. By this time, whatever bad taste may have been left in the Northwest by the ill-fated Cooperative 198 Wholesale Society of America had been washed away. Despite the handicap of such failures, cooperatives kept growing, and spreading throughout the country, not spectacularly but steadily. If anything, the depression beginning in 1929 speeded their growth. More people began to see in the unique cooperative method of distributing purchasing power an important way to prevent the bottlenecks of wealth which so often contribute to economic trouble.

Joe Gilbert noted with considerable satisfaction this solid cooperative growth. It was, one might say, a reconfirmation of the belief he had long held, that in the cooperative method lay the secret of successful economic democracy, the necessary counterpart of successful political democracy.

Years before, Joe said, he had given up any idea that the Socialist Party of the United States, as such, would ever become an important political influence.

“Even when I was an active member of the party,” he said, “I had no illusions that as a political organization it would sweep the country. I did think the party would amount to more than it did, but I didn't think the country would make the break directly to socialism. The Socialist Party was primarily an educational organization which used politics as a Peg on which to hang its propaganda.”

That the party failed to get anywhere disturbed Joe not in the least, for he saw that socialist principles could be preached just as easily, probably more effectively, through media other than a political party. Indeed, he lived to see many socialist principles advocated and put into practice by both Republican and Democratic administrations. Woodrow Wilson and, later, Franklin D. Roosevelt and Wendell Willkie made pronouncements on economic and political problems which had been considered radical when expounded by Socialists some thirty to fifty years earlier. Presidents of the United States have agreed with the socialist contention that government policies are often 199 set by dominant economic interests, rather than by the people.

Methods of dealing with this defect in democracy differ, but Joe Gilbert insisted that the obvious, and simple, solution would be for the people themselves to become the dominant economic interests, through development of cooperatives. He did not, however, belittle the importance of a strong people's political organization. He believed that politics reflect organized economic interests, and that “when industrial workers and farmers realize that they have special economic interests different from, and opposed to, those of other groups, they will create an effective political party to reflect those interests.”

“Economic determinism will compel such a party to adopt socialist principles, whether or not they are called socialist,” asserted Joe. “The workers, so far, have refused to use the existing Socialist Party to attain their ends, and I believe they will continue to refuse to use it. They will prefer rather to build a party of their own when they are ready to do so.

Joe contended that one reason why the advance of organized labor has been slow in this country is that the average man dislikes change of any kind, so long as he does not suffer too much under current conditions. This contentment with things as they are, and the fear of things as they might be if they were different, he pointed out, often cause labor leaders to collaborate with employers to maintain the status quo. For labor leaders themselves feel that they have a vested interest in their positions of leadership, and they fear that those positions would be imperiled by changes in the economic system.

“Few organized workers or farmers,” he asserted, “realize the necessity for change, and most of the professional and so-called middle class feel a common interest with those in control of the means of sustaining life. There is in this country little feeling for a class struggle, as such, for the classes themselves have been too fluid, the lines too thinly drawn.”

Joe came around to consumer cooperation after he had embraced 200 socialism. But it was not a case of discarding socialism. It was simply that he expanded and modified his philosophy to include principles of both as equally essential to a civilized society.

Complete development of the individual comes, Joe held, only with complete development of society as a whole. Society develops completely only in so far as all the individuals in society participate in its development. And that complete participation comes only with (1) political democracy, genuine governmental control by the people, and (2) cooperation, genuine democracy in the economic world. Thus, Joe insisted, socialism and cooperation are only means to the end of the complete development of the individual.

“Everything is intertwined,” was the way he put it. “The more civilized an individual becomes, the more dependent he becomes on others. Even a scientist needs to have someone else make his instruments for him, If only all peoples could see this great truth of interdependence, all this infernal, senseless economic struggle would cease. We would have abundance for everyone, instead of living like hogs in a trough.

“In future years it will seem as unjust for a man to have no vote in the running of a factory whose products he uses as it is now for him to have no vote in the running of the city, state and nation whose services he uses. Cooperatives give a man that economic vote which is as vital to his freedom, his peace and his security as is his political vote.”

Joe was quite ready to admit, of course, that the cooperative method could be applied wrongly, as in the case of The Cooperative Wholesale Society of America and others unfortunately similar, but he was firmly convinced, too, that he knew what the trouble had been, namely, lack of the right cooperative educational program. The Northern States Cooperative League, he noted, was doing excellent work in correcting that common early cooperative defect. So he wrote to V. S. Alanne, Executive Secretary 201 of the League in Minneapolis, for a job. An answer came back immediately. Alanne remembered that back in 1920 he and Joe had spoken from the same platform at Cloquet, Minnesota. Now, he invited Joe to make one of the main speeches at the annual convention of the Northern States League that fall in Minneapolis. The matter of a job was left open.

Joe eagerly accepted the invitation to speak. He put everything he had into the address, which he titled, “Cooperation, the Hope of Civilization.” Here is part of what he said:

“In one sense, it may be stated that the distinction between savagery and civilization is the difference in degree in which individuals have learned to act together. But in most cases cooperation has been of a forced nature, first by physical dominance and later by economic necessity. True cooperation, which we are discussing, is voluntary.

“Cooperative doctrine is the belief that self-government can be successfully introduced into the industry, commerce, and finance of a nation. It has been and is still being done under all forms of government, and by all kinds of people. Cooperation can be practiced here and now, and does not have to wait upon changes in forms of government. It is working a peaceful revolution in the affairs of mankind, and it constitutes the hope of civilization.”

He contended that cooperatives, through their patronage refund device, offer a practical method for overcoming the depression-creating economic sin, concentration of purchasing power in the pockets of a few.

“The real cause of the confusion of our times,” he continued, “is that we do not proceed automatically from a political democracy to an industrial democracy. The battle for human freedom has to be fought over again. We have to establish business upon democratic lines, and herein is the promise and hope in cooperation. Men and women in the ranks of cooperators are demonstrating that they are ready for industrial freedom, not by verbal acclamations but by silent deeds that are injuring no one but 202 leading the way for all lovers of liberty. Economic freedom is the next great freedom to be gained.”

That speech, which was printed in full in a later issue of *The Cooperative Builder* , took the convention by storm. A short time later, Joe became Assistant Executive Secretary of the Northern States Cooperative League.

Through his connection with the League, Joe met E. G. Cort. Cort was the founder and General Manager of Midland Cooperative Wholesale, first gasoline and oil wholesale in the country to be organized cooperatively, and he was also on the League's Board of Directors. One day, at lunch in the employees' cafeteria of the Land O'Lakes plant in Minneapolis, Cort introduced Gilbert to A. J. McGuire, founder of the creamery cooperative.

“Gilbert, Gilbert,” mused McGuire, after Cort had left the table to make a phone call. “There was a fellow around here by that name some years ago. Always liked to hear that man talk, because he got down to fundamentals. Then they put him in jail and I never heard of him again.”

“I'm that fellow,” said Joe.

McGuire jumped up, seized both of Joe's hands, and greeted him as a long-lost brother. At this point, Cort returned and McGuire said to him, “Cort, you want to keep this man with you.”

Cort did take a fancy to Gilbert. He liked the direct Gilbert approach, liked the brisk, decisive, down-to-earth way he went at things. One time, in a League Board meeting, Cort, short of stature and blunt of speech, said to the League's executive secretary, “Alanne, you ought to quit and let Gilbert take your job.”

Alanne did not resign, but Cort soon found a better way to use Joe. At that time, *The Cooperative Builder* , published semi-monthly by the Central Cooperative Wholesale at Superior, Wisconsin, also served the Midland Wholesale as its official news organ. This arrangement was proving unsatisfactory, however, and in August, 1933, the Midland organization published Volume 203 1, No. 1, of the *Midland Cooperator* . The editor was Joe Gilbert. Cort had tried to persuade him to leave the League entirely and come to the Midland Cooperative, but Joe did not wish to leave the League on such short notice, and so a compromise was agreed to whereby Joe was shared between the League and Midland.

The combination arrangement, however, was doomed from the start, and on January 1, 1934, Joe Gilbert went to Midland on a full-time basis as editor of the monthly *Cooperator* , as cooperative speaker and organizer, legal counsel, and No. 1 adviser to the general manager on strategy and policies.

21 “None of That Russian Stuff”

The Midland organization was founded in 1926, largely through the grit and energy of Cort, who was then a county agricultural agent in Freeborn County in southeastern Minnesota. It was the first cooperative wholesale in the country dealing primarily in gasoline and other

petroleum products. Midland reflected the increasing motorization of the farms of the Northwest, and the increasing concern of the farmers over how to get their tractor and other motor fuel at less expense.

As background, it should be realized that the nation's first *retail* oil cooperative had been launched at Cottonwood, Minnesota, in 1921. This was when farm prices were toppling in the wash of World War I. At that time, the Cottonwood Cooperative had no service station, and its only physical assets were several bulk tanks and a tank truck for delivering the fuel to the farmers. Several hundred farmers became members, stockholders, and owners of the cooperative by investing $10 or more each. That was how the enterprise was financed. These farmers hired a manager to attend to the buying and distribution of the merchandise, and to keep the books. The regular “going,” or market, price was charged all patrons. Then, at the year's end, after the salaries and all other costs and expenses of running the business 205 had been deducted, the balance (cooperators like to call this the *net savings*) was returned to the customers, or patrons, Not on the basis of stock holdings, but on the basis of patronage, or purchases through the co-op. It was not at all out of the ordinary in those days for cooperatives to declare a refund of as much as eighteen to twenty cents on each dollar's worth of purchases. The Rochdale principles of cooperative operation were observed by (1) paying a legally limited dividend on stock (to prevent speculation); (2) by permitting each member only one vote in electing a board of directors and determining matters of policy; and (3) by opening membership to anyone, irrespective of race, color, or creed.

News of such cooperatives, democratically owned and controlled by the farmers themselves, spread rapidly. Other retail oil co-ops sprang up throughout the Northwest. One such, which proved to be highly successful, was at Albert Lea, seat of Free-born County, and it soon claimed E. G. Cort's enthusiastic attention.

“If this thing can work on a local, retail basis, then surely it should work out on a statewide, wholesale basis, too,” Cort reasoned, and he set about, on his own time and at his own

expense, to organize a cooperative wholesale which would purchase petroleum products for the local associations cooperatively just as the local co-ops purchased for their patrons. Midland, with headquarters at Minneapolis, was the result, and Cort became its general manager when it opened for business.

Midland was at first only a farmers' cooperative, and its Board of Directors, elected by delegates from its member associations, consisted entirely of farmers. Many of them, as well as Cort himself, were devout churchmen and “drys.” Most of them were conservative in their political views. Also, most of them were, at heart, opposed to labor unions. For the most part, they thought of cooperatives simply and only as a method of cutting the expenses of farm production.

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At first blush, it did not look like a promising field of operations for a man of Joe Gilbert's stripe. In seven years, however, that individual did as thorough a job of changing the character of an organization into his own image as has been seen in many a day. In shaping policies, he exerted a powerful influence on Cort and on other Midland leaders. And it is perhaps putting it conservatively to state that Joe Gilbert played a leading part in expanding Midland from a “farmers only” organization to one of the country's most progressive consumer cooperatives, purchasing for and servicing both urban and rural co-ops, handling household as well as farm supplies, adopting liberal labor relations policies, and leading the development of consumer cooperation as an economic force to be reckoned with nationally.

In a period when many forces are deliberately working to keep urban and rural groups apart, the effect of this practical dove-tailing of city and farm interests can be tremendous. When farmers and labor-union members sit on the same cooperative boards of directors, the results, in terms of developing understanding and dissipating friction, cannot but be healthy.

When Cort presented Joe to the Midland Board, however, for confirmation of his appointment to the staff, the attitude was not so tolerant, and there must have been some doubt in the manager's mind as to the warmth of the welcome his man Gilbert would receive. Joe, in his part-time work for the Wholesale, had convinced Cort that, though he did take a drink now and then, and though he did have some radical views, he was, as McGuire had said, a man to hang on to. Joe, wisely, made a clean breast of his past activities. He told the Board that he had served two jail terms for violating the Minnesota Sedition Act, and that he wanted them to know it in order to avoid any complications that might arise later on, in the event of garbled accounts by, as he said, “any enemies I might have.”

Pleased by his frankness, the Board unhesitatingly endorsed him, although, afterwards, Frank Osborne, Secretary of the 207 Board, and a close friend of Cort's, shook his finger in Joe's face and warned, seriously but good-naturedly:

“Now let's don't have any of that Russian stuff.”

Shortly after Joe went to Midland as editor and policymaker, an incident occurred which showed that Cort had not changed his mind about his “discovery.” The Cooperative League of the U.S.A. was hunting for an executive secretary. Joe went with Cort to attend a League Board meeting, in Chicago, at which the matter was up for action. The name of Joe Gilbert was presented. Joe declined, without giving any reason. He was coaxed with an offer by the League to move its offices from New York City to Chicago, or even to Minneapolis. Joe remained adamant. Then Dr. James P. Warbasse, League President, suggested, Joe recalls, that perhaps it was Mr. Gilbert's loyalty to Mr. Cort that prevented him from accepting.

“Mr. Cort, will you release Mr. Gilbert?”

“No,” the Midland manager replied curtly. That settled it.

Cort was a voracious reader and, as he absorbed literature, cooperative and otherwise, on the day's economic problems, his viewpoint broadened considerably. Perhaps because of his conservative background, however, he continued to have a blind spot with respect to labor-unions. About 1936, union leaders made a strong effort to organize Midland's warehouse workers. Cort made it rather plain that he disapproved of unions, so the employees, knowing his attitude, shied away from joining. The efforts to organize seemed to be getting nowhere. At length, one Saturday, union officials issued an ultimatum that, unless the warehouse employees had joined by the following Monday morning, the Midland plant would be picketed.

Realizing that the situation might become serious and, if so, would tend to damage urban cooperatives affiliated with Midland, Joe got the warehousemen together that Saturday, just before closing time, and persuaded them to join the union. His action was one which did not find favor With Cort.

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“Joe,” he said quite bluntly, “I blame you for this union.”

Joe shrugged his shoulders. “You ought to *thank* me for it,” he retorted stoutly.

Cort never did quite learn to be cordial to labor unions, although, after several more years, Joe finally had talked him into agreeing that unions are just as essential to the city workingman as marketing cooperatives are to the farmer. From time to time, though, the Midland manager would run afoul of some union rule in which he could see no sense. During a dull season, when it was customary to lay off some of the workers, Cort had a habit of ignoring the union rules on seniority. One time, he laid off a man who had been active in union affairs and this precipitated another labor-relations crisis. Cort refused to budge, and the union threatened to take the matter to the proper government officials. Joe again intervened. He convinced the Midland Board that the case should be arbitrated, and,

this being agreeable to the union, an arbitration committee of three was named which was able to settle the dispute amicably.

Later on, Midland became the first cooperative in the country to set up a labor-relations department for the specific purpose of developing closer relations between labor unions and cooperatives, and of encouraging participation in cooperatives by union members.

On several occasions, relations between Joe and the Midland Board became strained over the subject of religion. In the middle nineteen thirties, many of the Wholesale's directors were inclined to be perhaps a little too strait-laced and “fundamentalist” to suit Joe. At the biennial congress of The Cooperative League of the U.S.A. in Chicago, in 1934, E. R. Bowen, who had been chosen Executive Secretary of The League, urged a more intensive cultivation of clergymen and professors as exponents of cooperatives. Some of the delegates objected to such a program rather strenuously, and the discussion raged back and forth. Joe, although he was not an official delegate, could not restrain himself. 209 Turning to a friend, he said, “I think I'll jump into this,” and called for the floor.

He made a speech which must have made many of the Midland directors present blush. Berating ministers for doing “the bidding of their economic masters,” he contended that they would be “poor reeds for cooperatives to rely upon.” He charged that most clergymen lag behind socially progressive movements until they become successful, whereupon they jump on the bandwagon and say “me, too.”

Joe's speech ended the discussion. Dr. James P. Warbasse, presiding, decided it was getting a bit too heated.

“This has perhaps been a little off the subject,” he commented, with a twinkle, “but to tell you the truth, I have enjoyed it.”

Next morning, however, Cort came to Joe and suggested that it would probably be better for him to go back to Minneapolis to attend to affairs at the office.

“I smiled and complied with the suggestion,” Joe recalls, “but I knew I had offended at least four of the directors who were more or less prominent in church affairs.”

Several years later, Joe was called onto the carpet by the Board, because of some alleged antireligious teachings in the annual school for cooperative employees and directors. Some of the students complained that Joe was teaching evolution, not cooperation. The Gilbert defense was that he was trying to make a distinction between matters of fact and matters of belief.

“If I say to you,” he told the Board, “that a straight line is the shortest distance between two points, you have no right to reply that you do not agree, because this is a fact. But if I say that I have an immortal soul, you have a right to doubt it, because this is a matter of opinion, or faith, and cannot be demonstrated.”

Joe suffered mentally to some extent over the great to-do which was occasioned in some cooperative circles over the visit of Toyohiko Kagawa to America in 1936. The leading Japanese Christian advocated cooperatives as “the love principle applied 210 to industry” and as the “new way to economic salvation.” He appealed primarily to church groups, and in idealistic phrases, and this was what irked the outspoken Midland editor.

“As far as any influence Kagawa had on the cooperative movement in this country is concerned,” Joe said, “I consider it nil. The cooperative movement needs the dynamics which idealism can give, but at the same time this idealism needs to be applied on a realistic, scientific basis. It cannot come through any sort of cult.”

It cannot be denied, however, that Kagawa did lead the thinking of many clergymen toward cooperatives and caused the addition of many influential religious leaders to their ranks.

Perhaps the most significant change in policy with which Joe was concerned, during his Midland days, was the Wholesale's decision to handle groceries. This enterprise created an issue which shook the organization from stem to stern, nearly split it asunder, and

led to the ousting of E. G. Cort as general manager. It was an issue, too, which had its national repercussions, for it involved the question of whether the cooperative movement in the United States was to remain almost exclusively a farm proposition, or whether it was to gain entrance also to the cities.

In contrast to developments in Great Britain and other nations, cooperatives in the United States got their real start out in the country, in the marketing of farm products. It was not until after World War I that cooperatives for the *purchasing* of farm supplies, such as feed, fertilizer, and petroleum products, began to amount to much. Today, although marketing cooperatives are still the largest, the purchasing variety is growing at a more rapid pace and promises to take the lead at some not too far distant date.

For many years, however, purchasing cooperatives, with a few notable exceptions—such as Central Cooperative Wholesale at Superior, Wisconsin—dealt only in supplies for the firm. They were not concerned with groceries and other supplies for the 211 home. Gradually, though, just as cooperative leaders began to see that cooperative purchasing of farm supplies was just as effective as cooperative marketing in increasing farm income, they also began to see that cooperative purchasing of *home* supplies might bring more returns than purchasing of *farm* supplies. It was found, for instance, that farmers pay more for home supplies, and it was realized that, even though a farmer got more for his grain, it would mean nothing if he also had to pay more for his feed and his groceries.

“One half of a pair of pincers is of little use,” E. R. Bowen, Executive Secretary of The Cooperative League for many years, pointed out. “It takes pressure from above as consumers, and from below as producers, to attain results.”

It was realized, too, that cooperatives in the United States would never amount to much nationally until they were fairly representative of the population of the country. This meant that cooperatives had to get into the cities; and this, in turn, seemed to mean that they had to get into groceries, closest to the everyday life of every consumer.

Joe Gilbert was one of those cooperators who were alert to the need for broadening the cooperative base. He saw that it was top-heavy on the agricultural side, that the consumer and urban sides demanded attention. He used to point out to Cort that the farm population was rapidly declining in proportion to the total population, and that if cooperatives were to become a factor of national importance, they would have to enter the urban field. He believed that the best way for Midland to do this was to launch food stores in connection with already existing oil cooperatives in the rural areas as well as in the cities.

For a while, Joe's arguments seemed to make no impression on Cort, but later the Midland manager became intensely interested. He also came to know Charles Cook, a former chain store official. Gradually there evolved a food store plan, which was a hybrid of chain-store and cooperative methods, and which had 212 some features that startled, and even angered, a number of dyedin-the-wool cooperators.

The plan was to have Midland exercise central management of the stores, of which there was to be a minimum of fifteen in the beginning. Management agreements were to have the effect of binding the retail stores and the Wholesale together as one unit. The plan was referred to as a “many-co-ops-as-one-co-op” program. Each retail store, however, was to have its own board of directors, and this board was to have authority equal to that of the central Midland management, in hiring and firing its local manager. Each local organization was also to have autonomy in policymaking. In other words, the plan was to give the consumer the advantages of large-scale centralized operation, à la chain store, and also the benefits of democratic ownership and control. It was to be financed locally through the sale of shares of the common stock of each retail store for $15 each. Every community was to raise a minimum of $3000 in capital, of which two thirds was to finance the retail grocery operations and one third the wholesale. A goal of two hundred member-families per community was set.

The program was complicated. It required a great deal of preliminary work, and it took a lot of explaining. In the opinion of many, the centralized management feature was several

steps away from democracy and toward dictatorship. Although the Midland board of directors had approved the grocery program in principle, there was reluctance, on the part of some of the directors, to go “from gasoline to groceries.” There had been many sad co-op experiences in the low-margin, highly competitive grocery field. But Joe and others had convinced Cort that Midland ought to go into groceries, and, once his mind was made up, Cort was not easily turned aside. He began to devote the major part of his attention to organizing stores. First, he hired Cook as grocery manager. Then he added to the educational department a squad of men and women whose job it was to 213 organize “co-op clubs” in communities where stores were to be started. These clubs were to act as booster committees to help raise funds and in other ways promote interest in a food store. In 1937, Cort took a trip to Europe and avidly studied methods of the highly successful cooperative stores over there. He laid the co-op chain-store plan before leaders of the English and Scottish Wholesales, and they agreed with him that it was cooperatively sound.

Later, on a visit to Minneapolis, Neil Beaton, then President of the Scottish Cooperative Wholesale Society, declared that he had gone over the Midland plan from every angle and, as he put it, “I could not find a single feature of it which is opposed to any principle of consumer cooperation. It is absolutely progressive and sound.”

Nevertheless, the store program continued to meet a storm of opposition. Organization of the retail centers took a long time. Costs began to mount, with nothing to show in return. Midland's associations and districts separated into *pro* -store and *con* -store camps. The Midland Board itself was hopelessly split. The arguments became emotional and personal. Cort's lack of diplomacy in dealing with his directors cost him support. Some directors began to lose confidence in the financial soundness of the program, and also in Cort's ability to carry it through. Finally, however, in May, 1939, fifteen stores had raised or borrowed enough money to get under way, and they sent 125 delegates to a dramatic meeting in the Midland building at which, with plenty of advice on strategy, they applied

sufficient pressure to the Midland Board to get that reluctant body to vote, six to four, to go ahead with the store program.

The venture, however, had a rocky time of it. Inept management, disharmony, resentment by at least half of the Board at being forced into something for which they had little enthusiasm, and some sorry-looking financial statements heaped woe and more woe on the head of the unfortunate Cort. The scrappy 214 Midland manager, however, stood up and took everything that came his way, and for a while he was staunchly defended by Joe Gilbert and the rest of the Midland staff. At length, however, most of the staff began to see that, if Cort insisted on holding to the store plan, it meant that Midland itself would be endangered, for already some associations were on the point of transferring their business elsewhere. At this critical point, Cort suffered a heart attack, and the Board was able to grant him a long leave of absence to regain his health. That was in 1940. Cort never again became manager. He died in 1944, still a cooperator, still believing that he was right.

To the end Joe stuck loyally to Cort, though he could not condone his policies in regard to operation of the store plan. Although he believed the plan was intrinsically sound, he knew it was not foolproof. He saw that, before it could have a chance to work, it would need a harmonious environment and a change of personnel, with someone in charge of the technical operations who understood cooperatives, as well as chain stores.

“Had the conditions been right,” Joe remarks, “the Midland plan might have been a revolutionizing influence in the cooperative movement. Cooperators must be leaders, not mere followers. They must strike out into new trails. They must apply old principles in accordance with new methods. Whether the chain-store idea can be, or should be, applied to cooperatives is still a moot question, but it may be that Cort's ill-starred venture was not a failure after all, judged in the light of history.”

Failure or not, the cooperative chain-store plan did move Midland from gasoline to groceries. Although centralized management was eliminated, most of the food stores that

were organized under that plan continue to operate successfully today as stockholder-members of their Midland Cooperative Wholesale. And the food business of Midland is steadily growing, in both rural and urban areas. The main objective, then, was achieved. Owing to the work of men like Gilbert and Cort, the Midland 215 area has contributed its share to the rapid growth, in the past decade, of urban cooperative stores. A dozen years ago, almost all the urban co-op stores in the United States could have been counted on the fingers of two hands. Today, three farm-supply regional cooperatives, in addition to Midland, and several urban Wholesales, are handling foodstuffs, and more than five hundred retail stores have been started.

According to a recent report of The Cooperative League, there is “a great ground swell rolling up from farm supply cooperative members to move on into home supplies.” Joe Gilbert helped that ground swell get under way.

22 Towards Eighty

For seven and a half years Joe Gilbert, as chief speaker, editor, and policymaker for Midland Cooperative Wholesale, hammered home his philosophy of economic democracy. At meeting after meeting, in editorial after editorial, he lifted the horizons of those who heard him and read his editorials. He told how, through cooperatives, economic freedom and security could be obtained. He held up to scorn those who saw their cooperative as nothing but a device to save a few dollars. He was a powerful one-man educational force. He was largely responsible for amendments to the Minnesota Cooperative Law, which gave greater security to genuine consumer cooperatives. The growth and strength of the cooperative movement in the Northwest today is attributable in large part to his leadership, and to the guidance and advice he gave to other men in perhaps more responsible positions.

He left his mark on the movement nationally. His opinions were read or listened to with respect by cooperators everywhere, from the rank-and-file on up. In 1934, as a member of the Constitution Committee of The Cooperative League, he foresaw the necessity of providing for the formation of State federations to protect cooperatives against legislative attacks, which, he 217 warned, were sure to come once cooperatives had gained sufficient size and strength to be annoying to private-profit competitors. It was a prophetic warning. Within the past few years, grain and other business interests in the line of co-op fire have launched the National Tax Equality Association to push through federal and State anti-cooperative tax measures. As a result, State federations of the type Joe advocated have appeared in a number of States, and are being planned in others.

Joe hit especially hard in his declarations for consolidation of cooperatives into a single, unified, national organization. Like most other movements—religious, political, labor, and social—the cooperatives have right and left wings. The *conservative group* is composed chiefly of marketing, or producer, cooperatives and the “farmers-only” purchasing cooperatives. (The Farmers Union and the Ohio Farm Bureau Cooperatives are notable exceptions to this statement.) This conservative group holds that producer interests are paramount, and that cooperatives exist solely to increase the net income of the farmer. Then there is the *progressive group* , composed chiefly of consumer, or purchasing, cooperatives, in which both urban and rural people are members. This group holds that consumer interests are paramount, and that the money-saving feature of cooperatives, while important and necessary, is in the long run merely incidental to the larger social and economic objectives.

Generally speaking, the “right wing” marketing co-ops and the “left wing” consumer co-ops have as little to do with each other as possible, and indeed are sometimes embarrassed even to be seen talking together. Each of the two groups has been tied together somewhat loosely, nationally.

Consumer cooperatives, for example, have had for many years two national federations, the Cooperative League of the U.S.A. for educational and promotional purposes, and National Cooperatives, Inc., for manufacturing, purchasing, and distributing merchandise. Many regional Wholesale cooperatives are members 218 of both; but some, for various reasons, ideological and other, belong to one or the other. Indeed, it has been found necessary, because of these ideological differences, to use the term “consumer-purchasing cooperatives,” rather than simply consumer cooperatives. This term permits cooperatives which play up the producer part of the citizen to close an eye to the word “consumer” and “join the church” with a clear conscience.

For many years, efforts were made to merge the League and National Cooperatives, but in vain.

“The truth is,” as Joe observed, in impatiently denouncing the failure to get together, “that, although we like to talk about a cooperative movement, what we really have is a lot of scattered cooperative enterprises, each concerned with its own affairs, with little desire to consolidate the forces of cooperation. But the time has come when all these scattered ‘provincial’ cooperatives must become united. Otherwise, they will become easy prey for monopolistic aggregations of wealth and power which are becoming increasingly aware of the cooperative threat to their position.”

Cooperatives, it is true, are as yet only on the threshold of becoming important economic factors in America. Lumping marketing and purchasing volume together, cooperatives in the United States, in 1946, did a business of more than $6,000,000,000, with more than 4,000,000 members. *Fortune* magazine (August, 1945) reports that they do about 4 per cent of the nation's wholesale business, about 1.5 percent of the retail, about one sixth of all farm marketing and supplying. *Fortune* continues: “But size is not the only measure of cooperatives' importance. Their values are social, as well as economic, for they bring social responsibility along with self-interest. The community, as well as the individual, gains by their existence. Their great economic value is in raising the standards of products

bought and sold, in controlling prices to a certain extent, in preventing monopolistic abuses."

Joe was far too experienced and balanced to believe or say 219 that cooperatives are the answer to everything that is wrong with the world. He insisted that, by consolidating their forces, and by going all the way back from retailing into manufacturing and processing, they could: (1) cut the costs of distribution, (2) act as a yardstick on quality and price in behalf of the consumer, (3) keep purchasing power circulating back to the people who use it, by means of their nonprofit patronage refund device, (4) inject democratic principles into the economic life of the nation, by demonstrating democracy in action locally, regionally, and nationally, and, (5) by successfully achieving the first four objectives, *help* bring economic freedom, security, and opportunity to all.

Those five jobs, he held, are big enough and important enough for any one movement to tackle without attempting to run the whole country.

Joe believed that natural resources should be owned by the government, not by cooperatives. He was convinced that, in the long run, the ideal economy would be a mixed one, on the order of Sweden's, with government, cooperatives and individual enterprise sharing in its operation, and with the profit part of it kept closely in check by governmental and cooperative yardsticks in the hands of the people. To this end, he urged cooperators to associate with, and accept, the help of other progressive movements. Cooperators must, he said, "show a willingness to join in all social welfare and community activities," and must display "an active interest in political affairs, not in the narrow partisan sense, but in the broad sense of making government serve the common good."

He deplored a tendency on the part of some cooperative leaders to fear government. He took issue on this point with Dr. James P. Warbasse, a founder, and for many years president, of The Cooperative League. Dr. Warbasse warned that cooperatives are imperiled by the increasing activities of the modern political State, that State control leads

to Fascism, that cooperatives and 220 the State are bound to clash, and that economic democracy can never be attained if the political government remains powerful.

Joe's rejoinder was that it all depends on the nature of the State. “The view of the State taken by Dr. Warbasse,” he said, “is that of an organized power exercised over the people without their consent. This does not apply to the United States, the British Commonwealth of Nations, Sweden, and other modern political democracies. Fear that such States will become Fascist has no foundation.”

It is equally ridiculous, Joe maintained, to claim that cooperatives and the State will necessarily clash.

“To claim that they will,” he said, “is to doubt the good sense of the people in a democratic State to run their own affairs. The government is what the people make it. The people may at times become complacent and forgetful of their duties, they will make many mistakes, they will suffer, but in the end they will meet and solve their problems peaceably.”

Although he recognized that cooperatives alone could not solve all the world's ills, and that they would have to make-alliances with other forces moving in the same direction, Joe nevertheless had high hopes for these “people's businesses.” He was forever harping on his conviction that, to fulfill their economic and social promises, cooperatives must be motivated by something more dynamic than a desire for savings.

“Great things are never accomplished without enthusiasm,” he said, “and enthusiasm is only generated by an ideal. While it is necessary for cooperative business to be as efficiently managed as private-profit business, there must also be a constant appeal to the ideal of a cooperative movement laying the foundations of a free economic order of society that will more adequately meet human needs. That must be the compelling force. Only then will people sacrifice, work, and even suffer and die if necessary. Without this social motive, cooperatives are only another way of doing business.”

Nor did Joe ever falter in his faith that, one day, those efforts to attain a better economic order would be successful.

“Don't let anyone say this is impossible,” he pleaded. “The dreams that nations dream come true for good or ill, which is but another way of stating that whenever any very great number of people act together with a common purpose the result is what they desire. As long as the principle of individual or collective group interests obtains, we shall reap the evil fruits of capitalism, which are human antagonisms, whether class, national, or racial. The cooperative movement in its largest and broadest sense offers one of the principal means by which to eliminate the destructive forces at work in human society.

“We need a recasting of human values. The acquisition of a fortune is not meritorious in itself. The question should be. What has the individual contributed to social welfare or happiness? The highly developed acquisitive instinct is the source of the economic ills of the world today, manifested in industrial and military warfare. Probably the greatest value of the cooperative movement is in its cultivating of the principle of mutual aid, in place of exploitation or self-aggrandizement.”

Although Joe took the position that “war in its deeper aspects is the result of the decadence of the private-profit motive in business, and in the final analysis is either to grab what the other side has or to hold on to what you have,” he was not a pacifist, and he had no use for sentimental arguments against war.

“No amount of preaching will ever stop war,” he editorialized once. “The hope of permanent peace lies in the fact of man's power of production so that there is plenty for all. Herein lies another great value of the cooperative movement. It demonstrates that men can secure abundance better by cooperating than by struggling one with another, on either the industrial or the military field. A war-weary world will be ready to give heed to a philosophy and a program that show the way to a fuller and freer life.”

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23 A Masterpiece

Joe Gilbert approached the age of eighty, and passed it, with hardly the flicker of a change in his way of life. He liked company and talk. And he kept abreast of the times. He continued to dash about like a young man, despite his failing eyesight and hearing.

It was while Joe was reading proof on the *Midland Cooperator* in 1935 that his eyesight had failed him. On a similar occasion, in 1922, when he was editing the *New State* in Nebraska, his right eye suddenly had refused to function. Apparently, his daily reading in the half-light of a jail cell was taking toll. At eighty, however, he could still read with the aid of a magnifying glass, and he could still see well enough to travel by himself. He had tried everything he or his physicians could think of to restore his sight, including the extraction of all his teeth, but nothing helped.

In 1936, Joe and Julie celebrated their Golden Wedding Anniversary. On the surface it was a happy occasion, but for years Julie had been becoming more of an invalid. And although her cheerfulness still shone through, she could no longer enjoy life much. Joe, whom she continued to adore, increasingly devoted himself to her care, increasingly became a father to her, instead of a husband. Mercifully, Julie passed away, in January, 1938.

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Joe and Julie on their Golden Wedding Anniversary

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A question arose, then, as to the nature of the religious service, if any, for Mrs. Gilbert.

In order better to understand Joe's attitude on this sad occasion, let us note how he felt about things religious.

Ever since the miserable church experience of his boyhood, Joe had retained an intense dislike for what he described as “professional holy men” and “all the other trappings of the church business.” He had a thinly concealed scorn for men who dressed “in a garb different from other people, as if they were in a class apart.”

His spirit of independence and his prideful belief in strictly scientific, as opposed to emotional or traditional, reasoning, forced him to rebel against accepting authority from anyone but himself in matters of religion. He admitted that emotion is important, but held that, to be of real value, it must be governed and controlled by reason. Another advantage derived from use of the scientific method, he liked to point out, is that “it gives one power over one's environment, and also the power to adapt to that environment.”

Naturally, then, Joe insisted that to accept some other man's say-so on matters of religion without first checking and double-checking would, as he put it, “violate the integrity of my own thinking.” He simply refused to look up to another human being as infallible.

“I have often wondered,” Joe once said, “how those who profess to be Christians reconcile their Christian belief in the Fatherhood of God and the Brotherhood of Man with the belief that the natural sources of wealth should be private property. The fact is, that these two beliefs can no more be reconciled than worship of God and Mammon at the same time.”

Nevertheless, despite his antipathy to the church “and its trappings” as an institution, it could undoubtedly be stated that Joe Gilbert was a deeply religious man, albeit he was decidedly *not* a church man. But he lived his life as many deeply religious 225 men have lived their lives, refreshingly free from that curse of so many professing Christians—hypocrisy.

Joe wanted no orthodox funeral service for Julie. He wanted nothing theological or “sloppy.” He wanted to say goodbye to his beloved wife with a service of his own devising. To conduct the service he selected Raymond B. Bragg, of the Minneapolis Unitarian

Society, and told him in considerable detail what he wanted done. They were to play Mendelssohn's “Song Without Words,” “Come Beautiful Enfolding Arms of Death,” and “Love's Old Sweet Song.” Mr. Bragg was to read some poems. And Joe told him what to say about Julie. Mr. Bragg played his part wonderfully. He spoke beautifully, and with dignity. There was, as Joe had requested, nothing that was “sloppy” or theological.

“Mrs. Gilbert in innumerable ways made her life something cherished—a thing of beauty to the many who shared her friendship and affection and love,” Mr. Bragg said. “We cannot help but express, in this circle of friends, the warm pervasive influence that the serenity of her life held for all who knew her. In the sweetest of all earth's companionships, sustained and deepened for more than half a century, she revealed herself master of the art of human living. In a world where friendship and affection are rare, she gave abundantly of both.

“What is significant but the unyielding devotion to the high prizes of our common life? Mrs. Gilbert's life was moved by a great cause. Not one, to be sure, which finds expression in the blatant certainties of dogma, but in the patient, certain direction of thoughtful change. She would perhaps be the first to question any such praise, and we the last to ignore that modesty of spirit. But is it not clear that the hopes, the courage, the willing struggle of her comrade of the years was her hope, her courage, her struggle? Together, they faced the world, strong with the strength of two. It was that sustaining spirit which carried on the battle, that sustaining spirit which has made the record, known and 226 unknown, in the presence of which we stand in reverence today.”

It was a simple, dignified service, and it was warm and comforting. It was what Joe had wanted.

Years later, Joe got around to doing some planning for his own funeral.

“I want no ordained minister at my funeral,” he warned. “No professional holy stuff.”

On the whole, he believed his memorial service ought to hit a happy note. He rather liked the idea of having a wake where all his old friends could gather, eat and drink, and tell stories about him until the wee small hours. He specifically ordered “no dolorous airs” sung. And though he took little stock in the theory of a life after death, he was willing to admit that he might possibly be wrong.

“If there is such a thing as a future life,” he said, “that's just one more thing about my death to be happy over. And if there isn't, well, everyone can be happy that old Joe Gilbert has gone at last to a long-deserved eternal rest. It's all purely a matter of faith or wishful thinking. If there is a future life, well and good; if not, well and good. To me, death is as natural as birth, and equally necessary, for I can imagine nothing more terrifying than to have to live in this world for eternity.”

Although he continued to write articles for the *Cooperator* twice a month, and to make speeches at co-op annual meetings, Joe retired from full-time activities at Midland Cooperative Wholesale at the end of 1940. It was on a speaking trip to Superior, Wisconsin, in the spring of 1942 that he slipped and fell hard on an icy pavement. He was alone at the time, but managed to get to his hotel, and he boarded a train to Minneapolis the next morning, insisting he had only a sprain. It turned out, however, that he had broken his right arm.

A little thing like a broken arm (at seventy-seven) failed to stop him, from trying to expand his activities. And that summer, after thirty years, he again was running for Congress. In 1912, 227 he had been a candidate on the Socialist ticket in the State of Washington. In 1942, he was the Farmer-Labor choice to represent Minnesota's fifth district He was nearly sightless and his heating was poor, but there was nothing wrong with his spunk and his boundless enthusiasm for taking on tasks which men half his age would have dodged with a clear conscience. Joe had long been fairly active in the Farmer-Labor Party and, indeed,

could claim a goodly share of the credit for its platforms and policies, especially those relating to cooperatives.

But his political task in the 1942 campaign was thankless and hopeless. His Republican opponent was Walter Judd, popular and young; the Farmer-Labor Party was in a slump; and Joe had little chance of winning. But, despite an attack of influenza which laid him low in the last week before the election, he put up a scrappy, honorable fight, and he enjoyed it.

That winter, another severe cold got in a telling blow at Joe's hearing, and although he tried various hearing aids, none seemed to help much. Doctors told him it was because his hearing (and sight, too) had been affected through his nervous system, and that hearing aids were not very successful in such cases.

It used to chafe Joe a little that he did not have the full use of all his faculties. He could see so many jobs to be done which fairly cried out for a man of his abilities. He would hardly have been human not to grouse at fate just a little. But he never whimpered, Always he shrugged his shoulders and boasted that, outside of his hearing and sight, he was just as good a man as he ever was. Indeed, he was just as apt to be sitting up until all hours settling the affairs of the universe, or playing cribbage and sipping brandy, as he was to be in bed. Who was he to complain about such minor afflictions as loss of hearing and eyesight?

Certainly the fifty cooperative leaders who gave him a birthday party when he was seventy-nine years old (July 10, 1944) could find nothing wrong with him. The party was a bit unusual, though. As Toastmaster Glenn W. Thompson explained, it would 228

Joe Gilbert nearing eighty

229 be a little awkward for people to be saying nice things about Joe in his presence when Joe couldn't hear what they were saying. So it was arranged for Joe himself to provide the main intellectual dish at his own birthday banquet.

That *was* a surprise to Joe, but he was obviously equal to the occasion. He delivered a forty-minute extemporaneous address with such a wallop that every man present knew why Joe Gilbert had made his mark as one of the great speakers and leaders of the American cooperatives.

“When man knows more,” he told his “surprise party,” “he needs more freedom, he wants more freedom, he demands more freedom. And he's going to *get* more freedom.”

He turned the tables on his congratulators.

“Congratulations to *you* , men,” he said, “on the opportunity that lies within your grasp. You are building better than you know in this cooperative movement. You should feel added strength and go on in your work with the supreme joy that comes with the privilege of expressing your own being in accord with your own desires, your own feelings, and your own thoughts.”

And Joe Gilbert knew whereof he spoke, for he himself had felt and known that supreme joy. He *had* expressed his own being in everything he did, whether as a Socialist Demosthenes of the soapbox, or as a Chamber of Commerce secretary. His ingrained, compelling urge for independence, for his fellowman as well as for himself, molded his character and his life. It made Joe Gilbert Joe Gilbert.

It was in the summer of 1946, when he was eighty-one years old, that Joe, for the first time since he had left England, in 1884, returned to his native land. This time, instead of traveling by steerage, he flew across the ocean. (He had decided to make his first air trip a long one.) And this time, instead of a farewell dinner at his Uncle John's, it was a

testimonial dinner at which friends presented him with a $650 “fly-off” purse and such “gifts” as these:

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“Joe Gilbert, in my opinion, is one of the really great people in this State.”—from Elmer Benson, one-time Minnesota Governor and United States Senator.

“The world is just now beginning to catch up with the vision such men as Joe Gilbert had many years ago.”—from Marian LeSueur, Minnesota Farmer-Labor leader.

“Joe Gilbert has been a tower of strength in behalf of the liberal movement.” — from Hubert Humphrey, Minneapolis Mayor.

In England, Joe saw his brother, Alfred—then seventy-nine, but as spruce and spry as himself—for the first time in fifty-eight years, and learned for the first time that he had a niece, a daughter of his sister Rosina. Indeed, it was this niece who took Joe to Rochdale, near Manchester, to visit the store (now a sort of co-op museum) where the modern cooperative movement got its start in 1844.

Aside from the weather, the “mighty scrimpy” quantities of food available, and other bread-and-butter topics, Joe and his brother Alfred found little that they could discuss amicably. Alfred was the wealthy head and owner of a successful accounting system Business, but, according to Joe, he was “as conservative and reactionary as they come.”

For example, there was the time when the brothers were among a party being shown through old Warwick castle. The guide was reciting the usual patter, and Joe found it displeasing. Unable to restrain his thoughts any longer, he blurted out to Alfred in a stage whisper, “This is all bunk. These old dukes and earls were the murderers and brigands of their times. And now you worship them.” Alfred turned a cold eye upon his brother—and said nothing.

“Judged by ordinary standards, he's a success, I'm a failure,” observed Joe later. “But I wouldn't trade places for anything.”

Joe was much disappointed in the failure of English cooperatives to exert more influence on the national economy.

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“They've gone to seed,” he reported. “They have become, to a large extent, only another way of making money; ideals seem to be secondary. One of the top English co-op officials was puzzled as to what I meant by industrial democracy.”

Joe was especially incensed because two English cooperative leaders had accepted titles, and seats in the House of Lords. He regarded this incident as clinching evidence that the English caste system, though modified since his boyhood days, still prevails.

“There still exists a degree of subserviency to rank and to those who occupy advantageous positions in society,” he wrote. “And that is what I despise.”

On the other hand, Joe was hopeful that the younger element rising to the top among cooperatives might reverse the trend and shake up the cooperative bureaucracy. And he was pleased to find that “the situation in Scotland is noticeably different, more democratic, and less in the grip of bureaucracy.”

He found, too, that the English people, on the whole, seem “more realistic on economic questions than Americans,” and are likely to adjust themselves to changing conditions “far better than we.”

Nevertheless, Joe was quite happy to leave England again after two months there.

“I am returning with no regrets,” he wrote. “I have immensely enjoyed my experiences, but, to one who loves freedom above all else, the United States of America has by far the greatest attraction.”

Joe approaches the close of his life as he has lived it—on the upbeat, and still possessed of that serene faith that the world, despite wars, atomic bombs, and numerous other inhumanities, is getting better. He is willing to admit that he has fought for causes ahead of their time, but he has a supreme faith that those causes are headed for ultimate triumph. “The secret of a long and happy life,” he had told his friends at the testimonial dinner, “is to live for something greater than yourself.”

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“And Joe ought to know about that,” someone commented afterwards, “for that's the way he has lived.”

Joe, too, is convinced that he has lived as he wanted to live. He has no regrets. He has lived a remarkable life, eloquent, courageous, satisfying. It has been the free life of a man with a free mind—free because he willed to make it so.

“The real life is within me,” he had told Julie, “and the beauty of everything is that no one can cage our spirit but ourselves.”

Yes, Joe Gilbert, one feels, is turning in a wonderful job of living. It might even be a masterpiece.

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